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ABSTRACT

This report focuses on the extent to which the right to education is available to children, young people, and adults and the extent to which educators enjoy fundamental human and trade union rights set out in the major international deliberations and conventions. The report seeks to acknowledge the contributions of teachers and education support staff. For each country where Education International has members, the report examines these issues and also highlights the extent of child labor. The appendix presents information on the United Nations Convention on the Rights of the Child and various International Labor Organization Conventions related to child labor and labor rights (e.g., collective bargaining, equal pay, employment discrimination, minimum age, and indigenous and tribal peoples). (SM)

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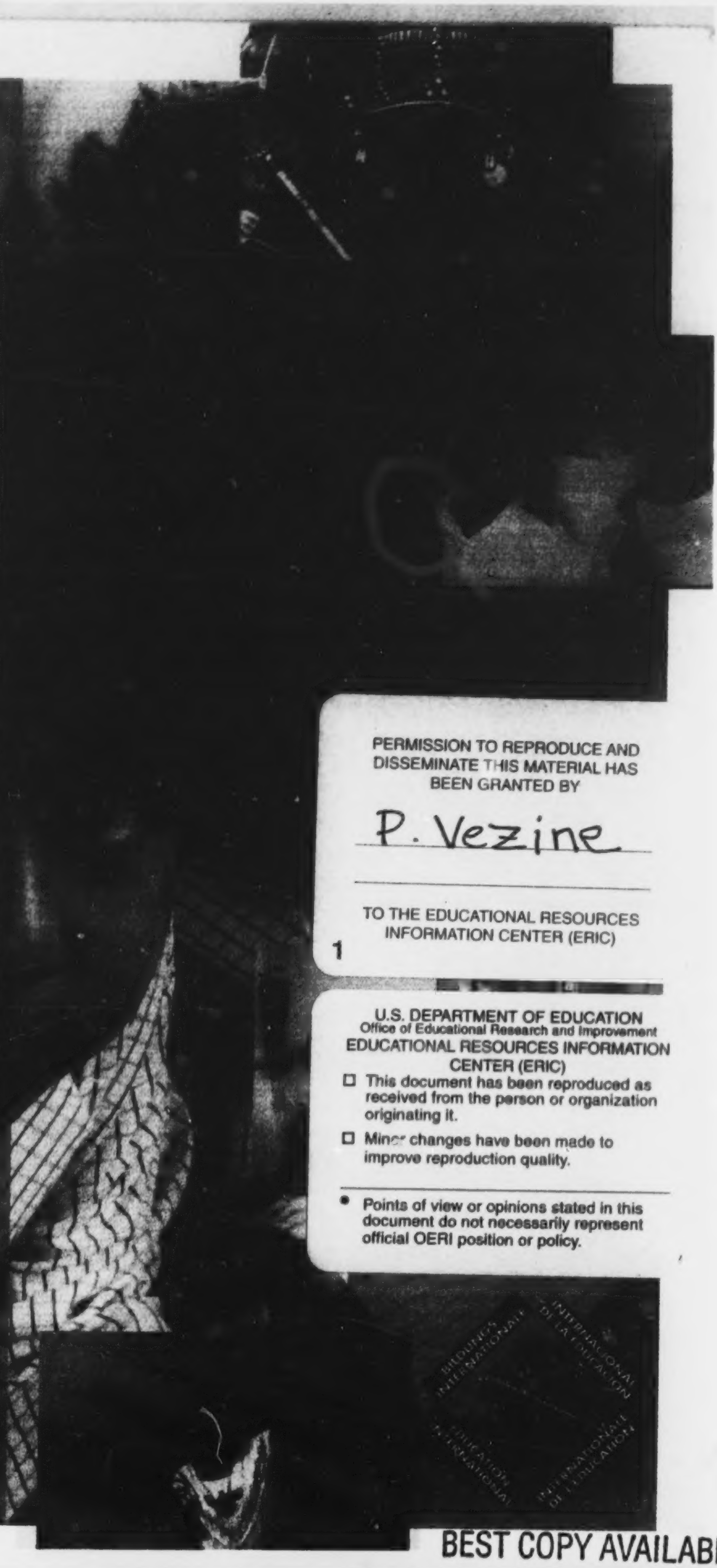

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1998

EI Barometer on Human and Trade Union Rights in the Education Sector

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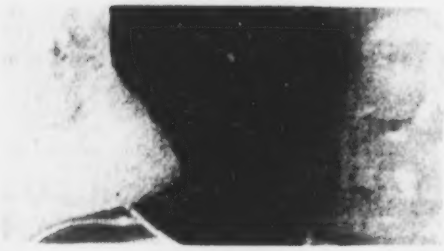
Baromètre de l'IE sur les droits humains et syndicaux dans le secteur de l'éducation



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EI BAROMETER

1998

FOREWORD

Human and Trade Union Rights: The Education International perspective

Education and human rights are inextricably intertwined. The right to education is enshrined in the Universal Declaration of Human Rights.

Quality education underpins sustainable development, democracy and the exercise of fundamental human rights. Equally, quality education for all can only develop and flourish where there is an environment of respect for human and trade union rights.

Children's rights and their wellbeing are closely linked to those of their families, but also to those of their teachers. In many countries, often at great personal cost, teachers and education support staff are at the forefront of the struggle for basic trade union and human rights. This report seeks to acknowledge their contributions and make visible their role. It also aims to draw inspiration and hope from their efforts - to show that a commitment to the interests of every child, to quality education and to effective trade union organisation can make a difference. In publishing what we plan to be a regular report on human and trade union rights in the education sector, Education International is not duplicating the invaluable work done by Amnesty International, the International Confederation of Free Trade Unions and others. Instead we are drawing on their work, building on it and we hope complementing it. This report focuses on the extent to which the right to education is available to children, to young people and adults and the extent to which educators enjoy fundamental human and trade union rights set out in the major international declarations and conventions.

It also highlights the extent of child labour in every country where Education International has members. Some of the information is so horrifying that if we know about it and fail to do everything in our power to stop child labour, then we are in fact complicit in its perpetuation.
The juxtapositioning of those three elements - access to education, child labour and trade union rights for teachers and other education staff - reflects their interrelationship and Education International's conviction that progress in one area cannot be sustained without progress in the others.

1998 is the 50th anniversary of the Universal Declaration of Human Rights and of ILO Convention 87 on Freedom of Association and the Right to Organise. This report is an acknowledgement of the continuing importance in all our lives of those two great international standards. By highlighting education as a fundamental human right and by showing the relationship between the right to education, child labour, and a fair deal for educators, the report is intended to be a useful tool in the campaign for fundamental human and trade union rights, including the right to quality education for all.

Mary Hatwood Futrell
President

Fred van Leeuwen
General Secretary

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The dictionary definition of barometer is "an instrument for measuring atmospheric pressure, usually to determine weather changes", or "anything that shows change or impending change". [Collins English Dictionary Updated Edition, 1995]

Education International's **1998 Barometer on Trade Union and Human Rights in the Educator Sector** focuses on three fundamental human rights - the right to education, children's right to be protected from exploitation and workers right to form and join trade unions, to organise and to bargain collectively. This **Barometer** establishes an initial base against which we hope to be able to measure change over the next ten years and beyond in the new millenium. Making change is more important, however, than monitoring change. This, and successive editions, will, we hope, help set priorities and galvanise EI and its member organisations into further action.

Education Rights

The *Universal Declaration of Human Rights*, adopted and proclaimed by the United Nations General Assembly on 10 December 1948, stated unequivocally in Article 26 (1):

Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

This survey shows that in 1998 millions of children are still denied access even to basic education. In some places the situation has actually deteriorated in the last ten years.

The **Barometer** has chosen eight indicators from the mass of statistical information provided by UNESCO in the **World education report 1998.** Those indicators are:

- illiteracy - the estimated number of adults (15 years and over) expressed as a percentage of the population in the corresponding age group;
- school life expectancy - the number of years that a child is expected to remain at school
- net enrolment first level - the percentage of children in the official school age of primary education who are enrolled in primary school;
- % of 1994 cohort reaching grade 5 - percentage of children starting primary school who eventually attain Grade 5;
- primary pupil teacher ratio - the average number of pupils per teacher at the primary level;
- tertiary students per 100,000 inhabitants - number of students enrolled in tertiary (or higher education) per 100,000 inhabitants;

- % of GNP spent on education - total public expenditure on education expressed as a percentage of the Gross National Product;
- % of Government expenditure on education - total public expenditure on education expressed as a percentage of total government expenditure.

Unless otherwise noted the figures are for 1995. This is the latest data available from UNESCO. For comparative purposes the use of one official source provides a greater level of consistency than the use of multiple sources including national records.

The 1998 Barometer does not include any data for early childhood education. We hope to do so in future years.

The text on education rights notes whether schooling is compulsory and up to what levels. Wherever information has been readily available, a short description of the education system is included. We hope that member organisations will be able to provide further information to enable the gaps to be filled in later editions.

Access to education is about quantity and quality. There cannot be access for all unless there is a sufficient number of places. In terms of basic education, (primary and lower secondary), there needs to be enough schools and classrooms and they have to be in the right place. Lack of schools in the village or neighbourhood is a significant impediment to girls getting access to education. Families are often even more reluctant to allow girls to travel any distance than they are boys. For many Indigenous communities sending their children away to school is difficult because of the impact it has on their knowledge of their own language, culture and way of life.

Quality affects access in many ways. Poor families struggling to survive will not send their children to school if they cannot see that the curriculum is relevant to their lives and that education will provide them with the knowledge and skills they require to improve their living standards. Where class sizes are too large and teachers cannot provide the necessary individual attention and support, the most disadvantaged children will be amongst those who drop out.

UNESCO's International Commission for the Twenty-first Century recommended that States devote at least six percent of their GNP to education. UNESCO's **World education report 1998**, from which the **Barometer**'s figures on expenditure are drawn, shows that 96 out of 130 countries for which statistics were available, spent less than six percent of GNP on education and one sixth of those countries devoted less than three percent of GNP to education.

Child labour

The International Labour Organisation (ILO) and UNICEF estimate that there are 250 million child labourers around the world.

By child labour we mean any work that endangers a child's physical, mental, spiritual, moral or social development or that interferes with his or her education and schooling.

Some have claimed that trade unions and other opponents of child labour want to stop children helping with the housework or on the farm or earning a little money for themselves or their family after school and during the holidays. Children gain a great deal by helping out at home and working with others. It is all part of growing up.

But when work hurts rather than helps them, children's work becomes child labour.

The Convention on the Rights of the Child was adopted by the United Nations General Assembly on 20 November 1989 and came into force on 2 September 1990. Like the Universal Declaration on Human Rights, it recognises the right of the child to education. It also provides for the elimination of child labour. Article 32 (1) states:

States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

ILO Convention 138 is the Minimum Age Convention, 1973. It sets a basic minimum age of 15 for starting work (or older if the age of ending compulsory schooling is older). Light work is allowed between the ages of 13 and 15, and dangerous work is forbidden to anyone under 18 years old. The Convention also provides for exceptional cases where these age limits may be slightly lower.

Most countries have laws against child labour. The **1998 Barometer** states what those laws are and describes the extent to which they are observed in practice. Information was drawn primarily from the United States Department of State **Country Reports on Human Rights Practices for 1997,** from ILO sources and from ICFTU reports prepared for the World Trade Organisation on a country's compliance with the core ILO labour standards.

What emerges from this survey, not surprisingly, is the strong correlation between poor access to education and high levels of child labour. Where developing countries have provided compulsory, free, basic education child labour is not a major problem. Where they have not, it is. Countries in Africa and Asia, with a few notable exceptions, are facing a crisis that has been building over a number of years and is intensifying, in the case of Asia, as a result of the recent economic collapse. No region of the world can be complacent. Child labour has also grown in the developed world in the past decade. The **Barometer** also highlights examples of campaigns and programmes involving EI member organisations that are making a real contribution to the elimination of child labour.

The best contribution we could make, however, is to ensure compulsory, free, basic education that is of good quality, for every child.

Trade Union Rights

The **Barometer** highlights the ILO Conventions which provide for fundamental labour rights and Convention 169 on Indigenous and Tribal Peoples. The core Conventions cover Forced Labour (No. 29), Freedom of Association and Protection of the Right to Organise (No. 87), Right to Organise and Collective Bargaining (No.98), Equal Remuneration (No. 100), Abolition of Forced Labour (No.105), Discrimination (Employment and Occupation) (No. 111), and Minimum Age (No. 138).

The section on trade union rights summarises the extent of trade union rights generally in each country. Most of this information was drawn from the ICFTU **Annual Survey of Violations of Trade Union Rights** and the U.S. State Department **Country Reports on Human Rights Practices for 1997.** It then focuses on whether teachers and other education personnel have the right to form and join unions - freedom of association - and the right to organise, to bargain collectively and to strike. This section draws on EI's files and reports.

There can be no constructive and durable solutions to problems facing education without respect for the basic rights of educators. Full trade union rights are vital to provide education personnel with salaries and conditions of work that permit them to fulfil their responsibilities and to live with dignity.

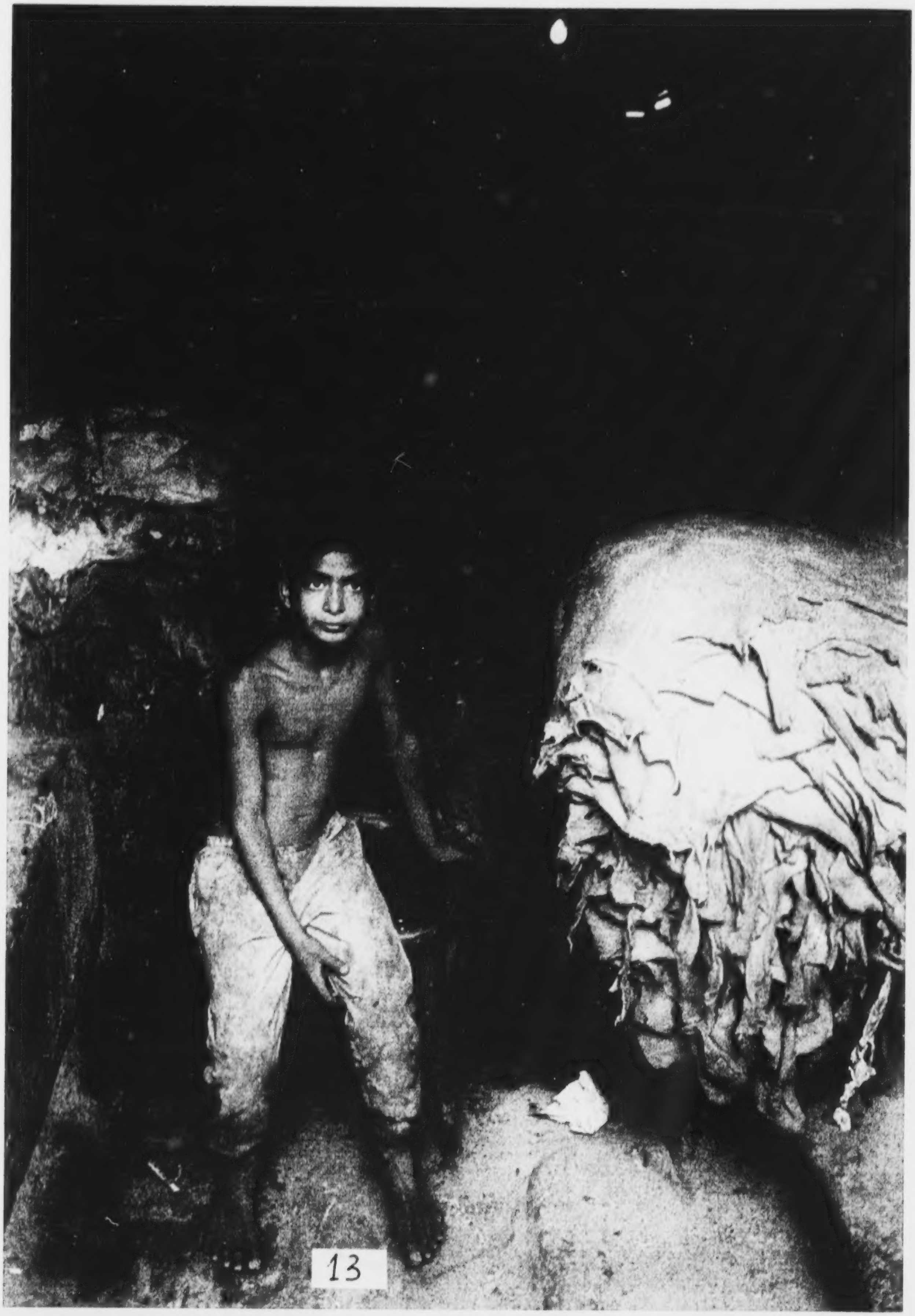
There are still countries that do not allow education personnel to exercise their fundamental rights. Denial of the right to freedom of association is most common in the higher education sector. School principals are another group whose rights to be members of the organisation of their choosing are under attack.

Non-interference in the running of union activities is a right guaranteed as part of freedom of association. The **Barometer** records a number of countries where being a teacher trade unionist is extremely hazardous. Threats, intimidation, physical violence, murder, arrest, torture, and imprisonment have been used to silence them.

Collective bargaining barely exists in some countries and is under attack in others, including in a number of industrialised countries. Seventy per cent of EI members live at or below the poverty level. Conditions of service are often appalling.

Finding strategies to ensure that the human and trade union rights of teachers and other education staff are fully respected is vital. Only then will the teaching profession be able to exercise its responsibilities to the full and provide high quality education for all. EI hopes that the Barometer will be a useful tool in that process.

AFRICA



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ALGERIA - DEMOCRATIC AND POPULAR REPUBLIC OF ALGERIA

Population: 29,830,370

Population < 25:	49.2%	**Life Expectancy at birth:**	67.5m/70.3f
Illiteracy:	26.1%m/51%f	**School Life Expectancy (years):**	11.1m/9.9f
Net enrolment first level:	99%m/91%f	**% of 1994 cohort reaching grade 5:**	94%m/95%f
Primary Pupil Teacher Ratio:	27	**Tertiary students per 100,000 inhabitants:**	1,126
% of GNP spent on education:	N/A	**% of Govt. expenditure on education:**	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Primary education is free and compulsory between the ages of six and 15. The Algerian educational system, long patterned after the French, was changed by a programme of Arabisation shortly after independence. The government introduced new teaching patterns and began training Algerian teachers and bringing in foreign, Arabic-speaking teachers. EI affiliate SATEF states that the requirement that teachers in schools follow the programmes of the National Pedagogical Institute to the letter, means that academic freedom does not exist.

Some 5.8 million pupils attend primary and middle schools and nearly 839,000 are enrolled in secondary schools. The government also maintains vocational and teacher-training schools. Algeria has ten universities and nearly all of the 20 or so specialised colleges have been founded since independence. The total enrolment at all institutions of higher education exceeds 160,000. There are professorships in Amazigh and Berber culture at the University of Tizi Ouzou, and the University announced that in 1998 it would offer for the first time a degree in Amazigh and Berber culture.

In the violence which has killed some 60,000 civilians over the last six years, more than 100 teachers have been murdered. Islamic fundamentalists have targeted schools, particularly girls schools, murdering teachers and students. Eleven women teachers were murdered at the end of September 1997. SATEF says that schools are caught between the contradictory interests of the state and of the Islamic fundamentalists.

CHILD LABOUR: The minimum age for employment is 16 years. Inspectors from the Ministry of Labour enforce the minimum employment age by making periodic or unannounced inspection visits to public-sector enterprises. They do not effectively enforce the law in the agricultural or private sectors. Economic necessity compels many children to resort to informal employment, such as street vending.

TRADE UNION RIGHTS: Workers have the right to establish trade unions of their choice but are required to obtain government approval. The law provides for collective bargaining for all unions, and the Government permits this right to be practiced. Under the state of emergency, the Government is empowered to require workers in both the public and private sectors to stay at their jobs in the event of an unauthorised or illegal strike; to order the temporary closure of assembly places; and to ban demonstrations likely to 'disturb the peace or public order.' The right to strike is restricted by lengthy pre-strike procedures, including 14 days of mandatory conciliation, mediation or binding arbitration. If no agreement is reached in arbitration workers can go on strike after voting by secret ballot. A strike over salary issues was organised by educators during 1997.

SATEF maintains that the average monthly salary of 10,000 dinars (FF800) puts teachers on the poverty line. SATEF has been recognised as an official partner of the Ministry of Education for consultation and negotiations since 1994.

EI member organisation:
Syndicat Autonome des
Travailleurs de l'Education et
de la Formation (SATEF)
Membership: 23,040

ANGOLA - REPUBLIC OF ANGOLA

Population: 10,623,994

Population < 25:	N/A	Life Expectancy at birth:	44.9m/48.1f
Illiteracy:	N/A	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓		✓	✓	✓	✓		

EDUCATION RIGHTS: The Education Ministry barely functions due to a meagre education budget. Low to nonexistent pay has resulted in a shortage of teachers. There is a net enrolment rate of 40 percent of the school-age children, with an 18-point gap between boys and girls to the detriment of girls. In 1996 it was estimated that 872,575 school-age children were out of school. The public school network in its present state cannot absorb these children. Most educational infrastructures are partially or totally damaged and lack basic equipment and teaching materials. Academic life has been severely circumscribed by the civil war.

CHILD LABOUR: The legal minimum age for employment is 14 years. However, many younger children work on family farms, as domestic servants, and in the informal economy. Family-based child labour in the subsistence agricultural sector is common. Poverty and social upheavals have brought large numbers of orphaned and abandoned children into the unregulated urban informal sector. The peace process allowed the successful demobilisation of over 8,000 child soldiers from both government and UNITA forces. However, UNITA has impeded planned follow-up assistance to most of its underage demobilised soldiers. An increase in the number of street children in Luanda and other cities resulted from the breakdown of family structure caused by the resumption of the civil war in 1992 and the continuing deterioration of the economy. One NGO estimates that there are between 500 and 1,000 prostitutes under the age of 18 in Luanda.

TRADE UNION RIGHTS: The Constitution provides for the right to form and join trade unions, engage in union activity, and strike, but the Government does not consistently respect these rights in practice. Teachers and medical professionals staged strikes in 1996 and 1997. The Health and Education Ministries negotiated settlements but repeatedly failed to honour them because of lack of resources. The Constitution provides for the right to organise, and the law provides for collective bargaining, but the Government does not respect these rights in practice. In 1996 the Government failed to honour a February 1996 agreement between the teachers' union and the Education Ministry to provide teachers an indexed wage. The General Secretary of EI' s affiliate, Sindicato Nacional de Professores (SINPROF) has experienced harassment from the authorities.

EI member organisation:
Sindicato Nacional de
Professores (SINPROF)
Membership: 20,000

BENIN - REPUBLIC OF BENIN

Population: 5,902,178

Population < 25:	N/A	Life Expectancy at birth:	52.4m/57.2f
Illiteracy:	51.3m/74.2f	School Life Expectancy (years):	N/A
Net enrolment first level:	74%m/43%f	% of 1994 cohort reaching grade 5:	63%m/57%f
Primary Pupil Teacher Ratio:	49	Tertiary students per 100,000 inhabitants:	208
% of GNP spent on education:	3.1%	% of Govt. expenditure on education:	15.2%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: In the late 1980s only 61 percent of eligible children were enrolled in primary school, despite earlier legislation making education free and compulsory between the ages of six and 11. Despite severe economic pressures that limit the Government's ability to provide universal education it has allowed the remnant of Togolese refugees to enrol their children in local schools. In contrast, a similar sized group of Ogoni refugees from Nigeria have not been able to attend school because they do not speak French. Higher education is provided to more than 8,800 students at the National University of Benin in Cotonou, and at other institutions. In general academic freedom is respected. University professors are permitted to lecture freely, conduct research, and publish their work.

CHILD LABOUR: The Labour Code prohibits the employment or apprenticeship of children under 14 years of age although light work is permitted from the age of 12. The Ministry of Labour is only able to enforce the code in the formal sector. Children commonly work on rural family farms, and in small businesses. Some work on construction sites in urban area. Some financially desperate parents indenture their children through agents. According to press reports, in some cases, unscrupulous individuals take the children to neighbouring countries where they are sold into servitude to work in agriculture, as domestics or as prostitutes. The Government has taken steps to educate parents and to prevent such kidnapping of children. Also many rural children are sent to cities often on the understanding that in return for performing domestic chores they will be given an education.

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Host families do not always honour their part of the bargain and the Government has taken steps to curb such exploitation.

The ILO reports that in 1995 27.5 percent of children aged 10 to 14 were working in Benin.

TRADE UNION RIGHTS: The Constitution provides workers with the freedom to organise, join unions, meet, and strike, and the Government usually respects these rights. Teachers in public, technical, and vocational institutions went on 48-hour strikes in April and May 1997 to back demands for a revision of their employment status and for payment of salary arrears. The Labour Code provides for collective bargaining but the Government sets wages in the public sector by law and regulation.

EI member organisations:
Syndicat National de l'Enseignement Primaire Public du Bénin (SNEP)
Membership: 6,000

Syndicat National des Enseignements Maternel et Primaire du Bénin (SYNEMP)
Membership: 5,000

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BOTSWANA - REPUBLIC OF BOTSWANA

Population: 1,500,765

Population < 25:	63.5%	Life Expectancy at birth:	48.9m/51.7f
Illiteracy:	19.5%m/40.1%f	School Life Expectancy (years):	10.5m/10.7f
Net enrolment first level:	94%m/99%f	% of 1994 cohort reaching grade 5:	86%m/92%f
Primary Pupil Teacher Ratio:	23	Tertiary students per 100,000 inhabitants:	403
% of GNP spent on education:	9.6%	% of Govt. expenditure on education:	20

Ratification of UN Convention on Rights of the Child: ✓

Botswana ratified nine ILO conventions in 1997,: including the following:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Although education is not compulsory, the Government provides seven years of free primary education to every child, and most children are able to take advantage of this opportunity. In the mid-1990s, Botswana's primary schools had an annual enrolment of about 301,400 and secondary schools enrolled about 99,600 pupils annually. Specialised education is provided by teacher-training schools and vocational training schools. About 4,500 students are enrolled each year in the University of Botswana in Gabarone.

CHILD LABOUR: Only an immediate family member may employ a child 13-years-old or younger, and no juvenile under 15 years may be employed in any industry. No person under 16 years is allowed to perform hazardous labour, including mining. Child labour is not perceived to be a significant problem, although research on the issue is limited.

TRADE UNION RIGHTS: There are serious restrictions on freedom of association and the right to organise in Botswana. Elected trade union officials have to work full-time in the industry or sector the union represents, which means in effect, that Botwana has no full-time union officials. The Constitution of Botswana excludes civil servants and teachers from forming or joining trade unions. They are permitted to form associations with restricted bargaining rights.

EI member organisation:
Botswana Teachers' Union (BTU)
Membership: 8,471

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BURKINA FASO - REPUBLIC OF BURKINA FASO

Population: 10,891,151

Population < 25:	65%	Life Expectancy at birth:	45.1m/47f
Illiteracy:	70.5%m/90.8%f	School Life Expectancy (years):	3.3m/2f
Net enrolment first level:	37%m/24%f	% of 1994 cohort reaching grade 5:	78%m/80%f
Primary Pupil Teacher Ratio:	58	Tertiary students per 100,000 inhabitants:	96
% of GNP spent on education:	3.6%	% of Govt. expenditure on education:	11.1%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓		✓		

EDUCATION RIGHTS: In recent years, the country has registered gains in life expectancy, literacy, and school attendance rates. Improved access to primary education had raised the literacy rate to 23 percent by 1996. Females constitute approximately one-third of the total student population in the primary school system and are represented in the secondary and higher educational systems although the percentage decreases dramatically beyond the primary level. Schools in rural areas have disproportionately fewer female students than schools in urban areas. The Government has set up a scholarship programme for female secondary students to encourage them to stay at school. A university with an enrolment of 5,700 is located in Ouagadougou. On 31 January 1997, police dispersed a student march that was protesting the conditions of dormitories, classrooms and the levels of scholarships. Police used tear gas and rubber bullets against the protesters, arrested approximately 30 students and detained them until 4 February.

CHILD LABOUR: The Government prohibits forced or bonded child labour but does not enforce this prohibition effectively. The Labour Code sets the minimum age for employment at 14 years with light work permitted from age 12. Most children actually begin work at an earlier age on small, family subsistence farms, in the traditional apprenticeship system, and in the informal sector. The ILO reports that 51.1 per cent of children between 10 and 14 were working in 1995.

TRADE UNION RIGHTS: The 1962 Labour Code has been amended several times during the past decade, most recently in 1996. Under this legislation, workers, including civil servants, traditionally have enjoyed a legal right to freedom of association. The Constitution provides for the right to strike. Unions have the right to bargain for wages and other benefits. Collective bargaining is extensive in the formal wage sector but encompasses only a small percentage of workers.

Reform of the public sector in the context of a structural adjustment programme was debated throughout 1997. Thirteen trade unions, including EI affiliate SNEA-B, put forward a package of 26 amendments to the Government, of which only six were adopted. In April 1998 the unions gave notice of a 48-hour strike to be held on 19 and 20 May. Over 70 per cent of SNEA-B's members participated. Agreement with the Government was reached on 28 May 1998.

EI member organisations:
Syndicat National des Enseignants Africains du Burkina (SNEA-B)
Membership: 6,000

Syndicat National des Enseignants du Secondaire et du Supérieur (SNESS)
Membership: 2,000

BURUNDI - REPUBLIC OF BURUNDI

Population: 6,052,614

Population < 25:	63.8%	Life Expectancy at birth:	45.5m/48.8f
Illiteracy:	50.7%m/77.5%f	School Life Expectancy (years):	5.1m/4f
Net enrolment first level:	56%m/48%f	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	65	Tertiary students per 100,000 inhabitants:	74
% of GNP spent on education:	2.8%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓		✓		✓		

EDUCATION RIGHTS: The Government provides primary education at nominal cost for 7 to 13 year olds. About 60 percent of school-age children are enrolled. The Twa (Pygmy) minority remains marginalised and without access to education. The University of Burundi is the leading institution of higher education. It remains primarily a monoethnic Tutsi institution. Tutsi students discouraged Hutus from returning to attend the university.

CHILD LABOUR: The Labour Code states that children under the age of 16 cannot be employed by 'an enterprise' even as apprentices, although it also states that they may undertake occasional work that does not damage their health or interfere with their schooling. In practice, in rural areas children under age 16 do heavy manual labour such as transporting bricks in daytime during the school year. Children are legally prohibited from working at night, although many do so in the informal sector. Children are obliged by custom and economic necessity to help support their families by participating in activities related to subsistence agriculture, in family-based enterprises, and in the informal sector. The ILO reports that in 1995 49 per cent of children aged 10 to 14 were working.

TRADE UNION RIGHTS: The Labour Code nominally protects the rights of workers to form unions. All employees in the public sector except those involved in public security are unionised. The law provides workers with a restricted right to strike and recognises the right to collective bargaining. However, public sector wages are set in fixed scales in individual contracts and are not affected by collective bargaining.

Members of EI affiliate STEB took indefinite strike action in October 1997. The strike was caused by the failure of negotiations, dating back to 1994, to improve conditions for teachers. Their key demand was for legislation to cover the status of teachers. The strike, begun on 10 October, was suspended on 25 October, after the Government agreed to reopen negotiations. However a further strike was called at the end of January 1998. STEB stated that while the Government had ceased to harass the union leadership, it had not kept to its undertaking to reopen negotiations.

EI member organisation:
Syndicat Libre des
Travailleurs de
l'Enseignement (STEB)
Membership: 3,590

CAMEROON - REPUBLIC OF CAMEROON

Population: 14,677,510

Population < 25:	61.8%	Life Expectancy at birth:	54.5%m/57.2%f
Illiteracy:	25%m/47.9%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	46	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: The Constitution provides for a child's right to education, and schooling is compulsory through the age of 12. Mission schools play an important part in Cameroon having achieved one of the highest rates of school attendance in Africa. Nevertheless, rising school fees and costs for books have forced many families to forgo sending their children to school. In the early 1990s, total annual enrolment in primary and early childhood schools was about 2.1 million, and in secondary schools, about 410,000. A total of 64,500 students are enrolled in institutions of higher education.

CHILD LABOUR: The Labour Code forbids the employment of children under the age of 14. However, the state lacks an effective inspection programme. In rural areas, many children begin work at an early age on family farms. Often, rural youth, especially girls, are employed by relatives as domestic helpers, while many urban street vendors are under 14 years of age. Although the Constitution prohibits forced or bonded labour, it does not specifically prohibit such labour by children. There are credible reports that slavery continues to be practiced in the Lamidat of Rey Bouda, an isolated traditional kingdom in the North Province. The ILO reports that in 1995, 25.3 per cent of children aged 10 to 14 were working.

TRADE UNION RIGHTS: Under the 1992 Labour Code, prior authorisation is required from the Minister of Territorial Administration before a trade union or professional association of public servants can legally exist. The Government has ignored applications for registration from teachers' and public servants' organisations, and consequently considers their strikes illegal. The ILO noted that the Government has failed since 1991 to recognise the National Union of Teachers of Higher Education. Currently there are serious salary arrears in Cameroon in the education sector.

EI affiliate FESER continues to be concerned at the Government's unwillingness to enter into dialogue with the union and at its failure to implement recommendations of the ILO Committee on freedom of Association.

EI member organisation:
Fédération des Syndicats de
l'Enseignement et de la
Recherche
(FESER)
Membership: 4,719

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CAPE VERDE - REPUBLIC OF CAPE VERDE

Population: 393,843

Population < 25:	N/A	Life Expectancy at birth:	65.5m/67.5f
Illiteracy:	18.6m/36.2f	School Life Expectancy (years):	9m/8.6f
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	29	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138	169

EDUCATION RIGHTS: In education the Government's priorities include extending compulsory education to six years for all children between the age of seven and 13, and there has been substantial progress toward this objective.

CHILD LABOUR: The legal minimum age for employment is 14 years. The law prohibits children under the age of 16 from working at night, more than seven hours per day, or in establishments where toxic products are produced; but the Government rarely enforces this law. In practice the Ministry of Justice and Labour enforces minimum age laws with limited success, and then only in the urban, formal sectors of the economy. The ILO reports that in 1995, 14.2 per cent of children aged between 10 and 14 were working.

TRADE UNION RIGHTS: Workers are legally free to form and join unions without government authorisation or restriction. The Constitution provides union members with the right to strike, and the Government respects this right. The ILO has criticised the Government of Cape Verde for its failure to promote free collective bargaining in both law and practice.

EI member organisation: Federaçao Caboverdiana dos Professores (FECAP)
Membership: 2,100

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CENTRAL AFRICAN REPUBLIC - Population: 3,342,051

Population < 25:	N/A	**Life Expectancy at birth:**	46.4m/51f
Illiteracy:	31.5%m/47.6%f	**School Life Expectancy (years):**	N/A
Net enrolment first level:	N/A	**% of 1994 cohort reaching grade 5:**	N/A
Primary Pupil Teacher Ratio:	N/A	**Tertiary students per 100,000 inhabitants:**	N/A
% of GNP spent on education:	N/A	**% of Govt. expenditure on education:**	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Education is compulsory between the ages of six and 14 years. Sixty to 70 percent of urban females go to primary school, while only 10 to 20 percent of their rural counterparts do. Overall, at the primary level, females and males enjoy equal access to education, but the majority of young women drop out at age 14 or 15 due to social pressure to marry and bear children. Only 20 percent of the students at the University of Bangui are women.

CHILD LABOUR: Employment of children under 14 years of age is forbidden by law. The provision is only loosely enforced by the Ministry of Labour and Civil Service. In practice child labour is common in many sectors of the economy, especially in rural areas. The ILO reports that in 1995, 31.2 per cent of children aged 10 to 14 were working.

TRADE UNION RIGHTS: Under the Labour Code, all workers are free to form or join unions of their choosing without prior authorisation. Unions have the right to strike in both public and private sectors. The Code does not specifically provide that unions may bargain collectively. While collective bargaining has nonetheless taken place in some instances, the Government is usually involved in the process. EI affiliate FESEC's members in the south and south east of the capital were very severely affected by the violence that followed an attempted mutiny. Two were killed and 24 had their homes completely destroyed. Eight hundred teachers, from the 30 primary and four secondary schools in the area, were forced to flee. Their situation was aggravated by the fact that they had not been paid in over six months. The seriousness of the salary arrears across the country led to a strike in October 1997. The Government reacted by imposing penalties on a number of the strikers and harassing others.

EI member organisations:
Fédération Syndicale des Enseignants de Centrafrique (FSEC)
Membership: 4,001

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CHAD - REPUBLIC OF CHAD

Population: 7,166,023

Population < 25:	60.5%	Life Expectancy at birth:	46.3m/49.3f
Illiteracy:	7.9%m/65.3%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	33%m/21%f
Primary Pupil Teacher Ratio:	62	Tertiary students per 100,000 inhabitants:	70
% of GNP spent on education:	2.2%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Public education is inadequately funded and there are no provisions for compulsory education. Educational opportunities for girls are limited, mainly because of tradition. The percentage of girls enrolled in secondary school is extremely low, primarily because of early marriage. In the early 1990s, yearly attendance was estimated at 591,417 primary and 72,641 secondary school students. In the late 1980s, nearly 3,000 attended institutions of higher education, including the country's only university, the University of Chad.

CHILD LABOUR: The Labour Code stipulates that the minimum age for employment in the formal sector is 14 years. The Government does not enforce the law, but in practice children are rarely employed except in agriculture and herding. The prohibition on forced and bonded labour by children is not effectively enforced and there are reports of slavery, forced and compulsory labour by children among rural farming and herding communities.

TRADE UNION RIGHTS: The Constitution recognises freedom of association and union membership as well as the right to strike. The main labour organisation is the Federation of Chadian Unions. Its former major constituent union, the Teachers' Union of Chad (SET), became independent of it during 1997. Isolated strikes over unpaid teacher salaries are occurring in several areas. The Constitution and the Labour Code contain only general provisions on trade union rights and do not specifically protect collective bargaining.

EI member organisation:
Syndicat des Enseignants du Tchad (SET)
Membership: 8,600

REPUBLIC OF CONGO - ALSO KNOWN AS CONGO OR CONGO-BRAZZAVILLE

Population: 2,583,198

Population < 25:	36.9%	Life Expectancy at birth:	48.6m/53.4f
Illiteracy:	16.9%m/32.8%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	54%
Primary Pupil Teacher Ratio:	70	Tertiary students per 100,000 inhabitants:	70
% of GNP spent on education:	5.9%	% of Govt. expenditure on education:	14.7%

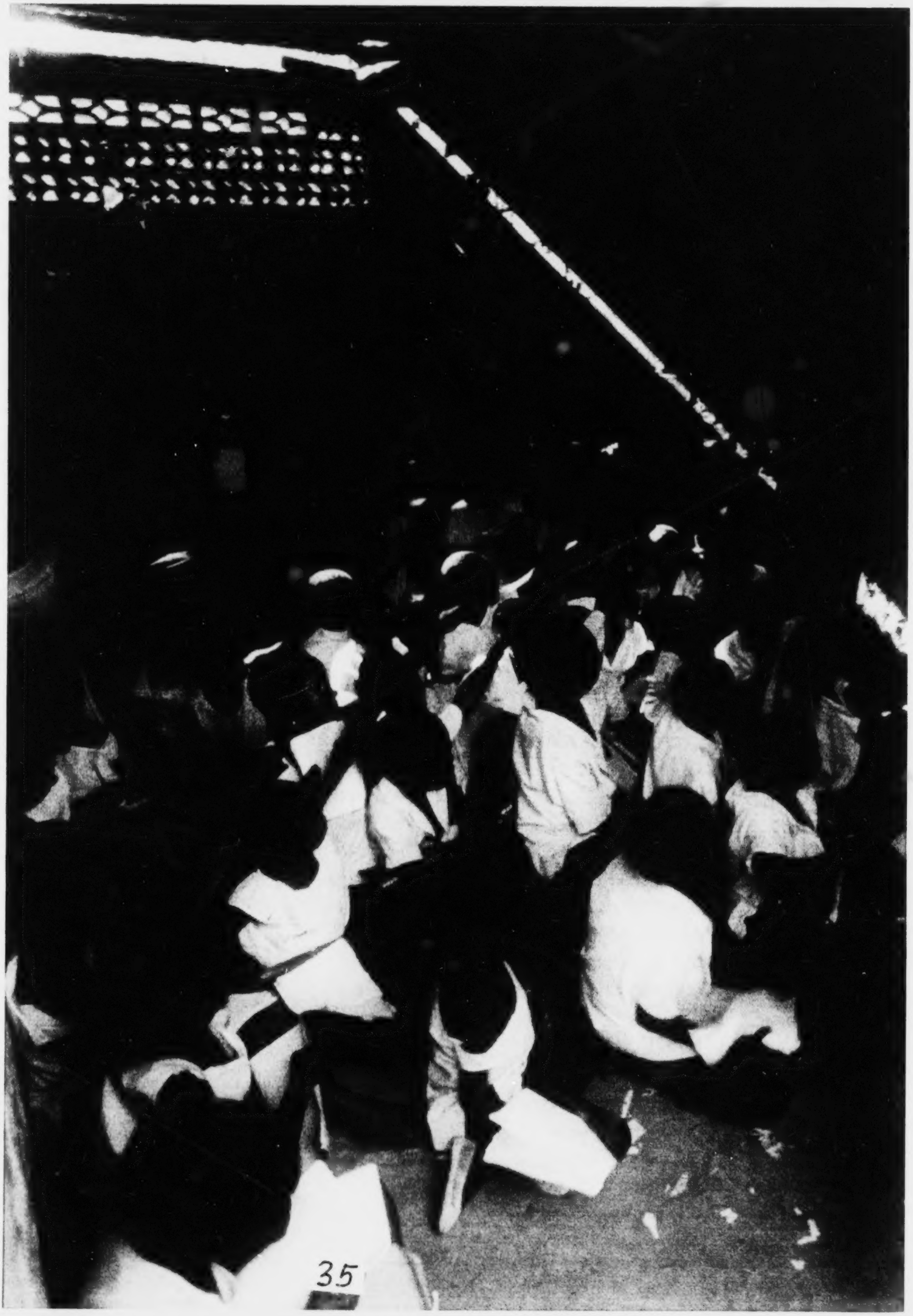
Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98	100	105	111	138	169

EDUCATION RIGHTS: Schooling is free and compulsory for children between the ages of six and 16 years. In practice limited state resources and disruptions as a result of the recent civil war hinder achievement of this objective. An ethnic minority, the Pygmies, do not enjoy equal treatment in Congolese society and remain severely marginalised in areas such as education. The Country's only university, Universite Marien-Ngouabi, in Brazzaville, has approximately 12,000 students.

CHILD LABOUR: The Ministry of Labour, which is responsible for enforcing child labour laws, concentrates its efforts only on the formal wage sector. Children continue to work in rural areas and in the informal sector in cities without government intervention. The suspended constitution prohibited forced and bonded labour by children, however, there are allegations that traditional arrangements involving the exploitation of Pygmy children continue, whereby Pygmy children are 'inherited' by a Congolese 'patron' to whom they are obligated in perpetuity.

TRADE UNION RIGHTS: The Labour Code affirms the right to associate freely and prohibits restrictions on the formation of trade unions. Unions are free to strike after filing a letter of intent with the Ministry of Labour. The Code allows for collective bargaining. The overthrow of the democratic government, the civil war and its aftermath have, however, disrupted all normal trade union activities.

EI member organisation: Fédération des Travailleurs de la Science, des Sports, de l'Enseignement, de l'Information et de la Culture (FETRASSEIC)
Membership: 5,000



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DEMOCRATIC REPUBLIC OF THE CONGO - (FORMERLY ZAIRE) ALSO KNOWN AS CONGO-KINSHASA - Population: 47,440,362

Population < 25:	N/A	Life Expectancy at birth:	51.3m/54.5f
Illiteracy:	13.4%m/32.2%f	School Life Expectancy (years):	6.8m/4.4f
Net enrolment first level:	71%m/50%f	% of 1994 cohort reaching grade 5:	73%m/54%f
Primary Pupil Teacher Ratio:	45	Tertiary students per 100,000 inhabitants:	212
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓		✓	✓				

EDUCATION RIGHTS: Primary school education is not compulsory, free or universal. In public schools, parents are formally required to pay a small fee, but the education system deteriorated so badly under the Mobutu regime that parents are often informally expected to pay teachers' salaries. Dire economic circumstances often hamper parents' ability to cover these added expenses, meaning that children may not be able to attend school. Most schools function only in areas where parents have formed cooperatives. The nation has three universities, at Kinshasa, Lubumbashi, and Kisangani. Academic freedom was restricted under Mobutu. There was hope that under Kabila academic freedom would be respected, but his regime is already demonstrating repressive tendencies.

CHILD LABOUR: Employers may legally hire minors between age 14 and 18 with the consent of a parent or guardian, but those under 16 may work a maximum of 4 hours a day; those between the ages of 16 and 18 may work up to 18 hours. Employment of children of all ages is common in the informal sector and in subsistence agriculture, which form the dominant portions of the economy. Some children as young as 10 years were allowed to enlist as soldiers in the Kabila military forces. The Government has not taken comprehensive measures to remove all child soldiers from its armed forces, although some demobilisation took place in December 1997 with the assistance of UNICEF. Many children work selling small goods (gum, cigarettes etc. on the street.)

TRADE UNION RIGHTS: Legislation in effect from the Mobutu period permits all workers except magistrates and military personnel to form and join trade unions. The law recognises the right to strike. The Mobutu period law provides for the right to bargain collectively and while collective bargaining still exists in theory, continuing inflation encouraged a return to pay rates individually arranged between employers and employees. At the start of 1998, teachers had not been paid for well over a year; considerably longer in rural areas. Teachers could not afford the fees to even send their own children to school. Arrears are still the norm.

EI member organisations:
Fédération Nationale
de l'Enseignement Supérieur,
Science et Culture
(FEDESCU/UNTZA)
Membership: 1,800

Fédération Nationale des
Enseignants du Zaire
(FENEZA/UNTZA)
Membership: 149,769

COTE D'IVOIRE – REPUBLIQUE DE CÔTE D'IVOIRE

Population: 14,986,218

Population < 25:	N/A	Life Expectancy at birth:	50m/52.2f
Illiteracy:	50.1%m/70%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	76%m/68%f
Primary Pupil Teacher Ratio:	45	Tertiary students per 100,000 inhabitants:	396
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Primary education is free and compulsory, but this requirement is not effectively enforced. There is a parental preference for educating boys, which is noticeable throughout the country but more pronounced in rural areas, especially in the north. According to an IMF report, 81 percent of male and 58 percent of female children attend primary schools. A 1996 UN Development Programme report states that in 1993 combined primary, secondary, and tertiary school enrolment was 31.1 percent for females and 47.5 percent for males. The National University of Côte d'Ivoire in Abidjan, has a yearly attendance of about 21,000. A substantial number of Côte d'Ivoire university students study abroad.

CHILD LABOUR: In most instances, the legal minimum working age is 16 years, and the Ministry of Employment and Civil Service enforces this provision effectively in the civil service and in large multinational companies. Labour law limits the hours of young workers, defined as those under the age of 18. However, children often work on family farms, and some children routinely work in the informal sector in cities. There are reliable reports of some use of child labour in informal sector mining and also of children working in 'sweatshop' conditions in small workshops. The ILO reports that, in 1995, 20.5 per cent of children aged 10 to 14 were working.

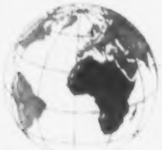
TRADE UNION RIGHTS: The law provides workers with the right to form unions. The right to strike is provided by the Constitution and by statute. Collective bargaining agreements are in effect in many major business enterprises and sectors of the civil service. There has been difficulty over the last few years in having recognition for new unions. This has now been rectified.

EI member organisations:
Syndicat National de l'Enseignement Primaire Public de Côte d'Ivoire (SNEPPCI)
Membership: 31,000

Syndicat National de la Recherche et de l'Enseignement Supérieur (SYNARES)
Membership: 1,172

DJIBOUTI - REPUBLIC OF DJIBOUTI

Population: 434,116



Population < 25:	N/A	Life Expectancy at birth:	48.7m/52f
Illiteracy:	39.7%m/67.3%f	School Life Expectancy (years):	N/A
Net enrolment first level:	37%m/28%f	% of 1994 cohort reaching grade 5:	97%m/98%f
Primary Pupil Teacher Ratio:	36	Tertiary students per 100,000 inhabitants:	22
% of GNP spent on education:	2.7%	% of Govt. expenditure on education:	7.5%

Ratification of UN Convention on Rights of the Child: ✓

	29	87	98	100	105	111	138	169
Ratification of fundamental ILO Conventions:	✓	✓	✓	✓	✓			

EDUCATION RIGHTS: Primary education is compulsory between the ages of six and 12. However the Government does not monitor attendance. Approximately 20 percent of children complete secondary education. Of some 1400 children completing primary school only 400 get places in secondary education. The majority of teachers in secondary education are from France.

CHILD LABOUR: The law prohibits all labour by children under the age of 14, but the Government does not always enforce this prohibition effectively, and a shortage of labour inspectors reduces the likelihood of investigations being carried out. Children are generally not employed for hazardous work. Children may and do work in family-owned businesses, such as restaurants and small shops, at all hours. Many young girls are involved in selling goods on the street.

TRADE UNION RIGHTS: For the fourth year running, there were serious violations of trade union rights and teachers' unions were particular targets of repression by the authorities. The law requires representatives of employees who plan to strike to contact the Interior Ministry 48 hours in advance. All strikes during 1997 were legal. Although the labour law prohibits employer retribution against strikers, the teachers' strike in February resulted in police beating, arbitrarily arresting, and detaining teachers and union leaders and briefly detaining hundreds of union supporters at the Nagad detention centre. The Government also suspended, fired, or transferred scores of teachers active in the union to less desirable assignments in rural areas. Teacher union leaders have not been reinstated and are subject to additional harassment - police watch teacher union leaders' homes, question their children, and put pressure on their families.

EI has supported affiliates SYNESED and SEP in lodging a complaint with the ILO Committee on Freedom of Association. The complaint was one of two that resulted in a direct contact mission from the ILO to Djibouti at the beginning of 1998. The Djibouti Government was called before the Committee on the Application of Standards during the 1998 ILO Conference to have the situation examined. It failed to send a representative to respond to the Committee's concerns.

EI member organisations:
Syndicat des Enseignants du Second Degré (SYNESED)
Membership: 149

Syndicat des Enseignants du Premier Degré (SEP)
Membership: 356

EGYPT - ARAB REPUBLIC OF EGYPT

Population: 64,791,891

Population < 25:	59.1%	**Life Expectancy at birth:**	64.7m/67.3f
Illiteracy:	36.4%m/61.2%f	**School Life Expectancy (years):**	10.8m/8.8f
Net enrolment first level:	N/A	**% of 1994 cohort reaching grade 5:**	98%m/97%f
Primary Pupil Teacher Ratio:	24	**Tertiary students per 100,000 inhabitants:**	1,674
% of GNP spent on education:	5.6%	**% of Govt. expenditure on education:**	13.8%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Education is free and compulsory for children between the ages of six and 14. Graduates of the primary schools may attend either a general intermediate school, which prepares for a secondary education, or a technical intermediate school specialising in industrial and agricultural subjects. The secondary school system is similarly divided into general schools, with curricula designed to prepare students for a university education, and technical schools. In the early 1990s more than 7 million children attended about 16,500 primary schools. In the same period, secondary schools had a total enrolment of about 5.9 million, including enrolment of about 1.1 million in vocational and teacher training schools. Egypt has 13 universities. Girls particularly in rural areas complete few years of schooling. Small village schools are being operated to help keep girls for additional time in school.

The Government does not directly restrict academic freedom at universities. However, some university professors claim that the Government tightened its control over universities in 1994 in a law authorising university presidents to appoint the deans of the various faculties. Under the previous law, faculty deans were elected by their peers. The Government has justified the measure as a means to combat Islamist influence on campus.

CHILD LABOUR: The minimum age for employment is 14 in non-agricultural work. Provincial governors, with the approval of the Minister of Agriculture, can authorise seasonal work for children between the ages of 12 and 14, provided that duties are not hazardous and do not interfere with schooling. Pre-employment training for children under the age of 12

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is prohibited. It is prohibited for children to work for more than 6 hours a day. Although education is compulsory for the first nine academic years, Ministry of Health figures indicate that 2 million children between the ages of six and 15 are employed. The ILO reports that, in 1995, 11.2 per cent of children aged 10 to 14 were working.

A 1989 study estimated that perhaps 720,000 children work on farms. However, children also work as apprentices in repair and craft shops, in heavier industries such as brick making and textiles, and as workers in leather and carpet making factories. While local trade unions report that the Ministry of Labour adequately enforces the labour laws in state-owned enterprises, enforcement in the private sector, especially in family-owned enterprises, is lax. Many of these children are abused and overworked by their employers, and the restrictions in the new Child Law have not improved their condition due to lax enforcement on the part of the Government.

TRADE UNION RIGHTS: Egyptian law establishes a single trade union system and the Government can annul or refuse to register a trade union constitution. Collective bargaining is restricted. It is not encouraged by law. The Government sets wages and other terms and conditions of employment in most sectors. Under the law, unions may negotiate work contracts with public sector enterprises if the latter agree to such negotiations, but unions otherwise lack collective bargaining power in the state sector. Under current circumstances, collective bargaining does not exist in any meaningful sense because the Government sets wages, benefits, and job classifications by law. The law states that any clause in a collective agreement which jeopardises the economic security of the country is invalid. Although strikes take place, the Government considers them a form of public disorder and therefore illegal. A limited number of strikes took place in the public sector in 1997, mainly over wage and dismissal questions. Local security forces used tear gas and physical force on 18 June to break up a strike involving hundreds of employees at Zagazig University, located 50 miles east of Cairo.

EI member organisation:
General Trade Union of
Education and Scientific
Research (GTUESR)
Membership: 150,000

ERITREA - STATE OF ERITREA

Population: 3,589,687

Population < 25:	N/A	Life Expectancy at birth:	49.1m/52.1f
Illiteracy:	N/A	School Life Expectancy (years):	4.6m/3.5f
Net enrolment first level:	33%m/30%f	% of 1994 cohort reaching grade 5:	78%m/79%f
Primary Pupil Teacher Ratio:	41	Tertiary students per 100,000 inhabitants:	102
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓
Ratification of fundamental ILO Conventions: 29 87 98 100 105 111 138 169

EDUCATION RIGHTS: Due to a shortage of schools and teachers, 50 percent of the country's children are unable to attend school. Adult literacy is about 20 percent. Academic freedom is respected at the one institution of higher education, the University of Asmara.

CHILD LABOUR: The legal minimum age for employment is 18 years, although apprentices may be hired at age 16. High school students are required to participate in a summer work programme, for which they are paid. While the Ministry of Labour and Human Welfare is responsible for enforcement of laws pertaining to employment of children, there is no inspection system in place to monitor compliance. Rural children who do not attend classes often work on their family farms. The ILO reports that in 1995, 39.6 per cent of children aged 10 to 14 were working.

TRADE UNION RIGHTS: Trade unions are encouraged by the Government, and all workers have the legal right to form unions and to strike to protect their interests. The Government has indicated its intention to ratify several key ILO conventions including those on freedom of association, the right to bargain, a labour administration system, and prohibition against child labour. But as of June 1998 it still had not done so. The Ministry of Labour and Human Welfare indicated that ratification of the conventions may not occur for some time.

EI member organisation:
Teachers' Association of Eritrea (TAE)
Membership: 4,500

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ETHIOPIA - Federal Democratic Republic of Ethiopia

Population: 58,732,577

Population < 25:	N/A	Life Expectancy at birth:	48.4m/51.6f
Illiteracy:	54.5%m/74.7%f	School Life Expectancy (years):	N/A
Net enrolment first level:	28%m/19%f	% of 1994 cohort reaching grade 5:	51%
Primary Pupil Teacher Ratio:	33	Tertiary students per 100,000 inhabitants:	60
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
		✓	✓	✓		✓		

EDUCATION RIGHTS: A major programme to increase literacy was started in 1979. Free education exists from primary school to secondary level, but regular school facilities are available to only about one-third of the children of school age. In the early 1990s about 2.8 million students attended primary and secondary schools run by the Government and religious groups. More than 21,000 students were enrolled in colleges and universities in the early 1990s. In many places schools operate shifts and have class sizes of 80-100 pupils. Since 1993 the education system has been subject to major decentralisation with responsibility passing to provincial authorities. Mother tongue education has been introduced in 14 of 80 local languages. Lack of written resources, curriculum materials and trained teachers fluent in the local languages have been major obstacles to effective implementation. Lack of adequate preparation, planning and consultation alienated teachers and left many without jobs in areas where they had lived for years. Persecution of EI affiliate ETA began when the union sought to challenge aspects of this policy. Students at Addis Ababa University (AAU) formed a student council in 1997, the first since 1993. In general, however, political activity is not encouraged on university campuses. In March 1997 authorities detained a number of students for several days after they started a demonstration outside the AAU campus without a permit.

CHILD LABOUR: Under the Labour Law, the minimum age for wage or salary employment is 14 years; children between the ages of 14 and 18 years are covered by special provisions. Children may not work more than

7 hours per day; work between the hours of 10pm and 6am; work on public holidays or rest days; or perform overtime work. Authorities make some efforts to enforce these regulations within the formal industrial sector. The ILO reports that in 1995, 42.3 per cent of children age 10 to 14 were working, Large numbers of children of all ages grow and harvest crops in the countryside, or work as street peddlers in the cities. Many thousands of street children live in Addis Ababa.

Child prostitution is a problem. Involuntary servitude and slavery were officially abolished in 1942, but there are numerous anecdotal accounts of young people, especially girls, being sent by their families into involuntary servitude in Saudi Arabia and other Arabian Peninsula states to work as house servants and nannies, some of whom are kept in bondage. There is reportedly a network of smugglers based in the tourism and import-export sectors who are heavily involved in soliciting potential clients, recruiting young girls, arranging travel and fabricating counterfeit work permits, travel documents, and birth certificates. More than 40 travel agents and import-export operators have been indicted for these illicit activities.

TRADE UNION RIGHTS: The Constitution and the Labour Law provide most workers with the right to form and join trade unions and engage in collective bargaining. In general, however, employees of the civil and security services (where most wage earners are found) are not allowed to form unions.

Despite claims by the Ethiopian Government to be democratic, freedom of association, freedom of the media and the right to organise and oppose are all currently curtailed. The situation has been deteriorating since 1995.

Government repression of three union groups - the Federation of Commerce, Technical and Printing Industry Trade Unions (FETP), the former Confederation of Ethiopian Trade Unions (CETU) and the Ethiopian Teachers Association - reveals a pattern of systematic interference in trade union affairs and the use of state force against any trade union leaders or activists who question any aspect of Ethiopian Government policy. Publicly opposing or challenging the Government's approach is sufficient to be labelled 'terrorist'. In the case of the Ethiopian Teachers' Association, the Government has:

- encouraged government party loyalists to claim to be the elected leaders of ETA, registered them, then recognised only them, despite a Court ruling that upheld as legitimate the leadership of EI' s affiliate;

- used the power of the State, including the police, to deprive ETA of its properties and assets, and specifically the use of police powers and force to evict ETA from its regional offices and hand them over to the puppet group;
- dismissed all members of the ETA Executive Council from their teaching positions and dismissed or transferred many other activists;
- refused to meet, consult or negotiate with ETA on the legitimate concerns and claims of its members while accusing it of being an opposition in support of terrorists.

On 8 May 1997, the Ethiopian police killed Assefa Maru, ETA Assistant Secretary responsible for development cooperation and Executive Council member. This occurred at 8.20am on 8 May 1997 as he walked to work. He was carrying no weapons, he put up no resistance and he did not try to run away. Immediately following the killing the ETA offices were raided, 34 people on the premises were detained and virtually all papers, documents and publications were removed. ETA General Secretary, Gemoraw Kassa, fearing for his life, like a number of other union leaders, has had to seek asylum in the United Kingdom.

ETA President, Taye Woldesmiate, has been in prison for over two years. Eighteen months ago two of the most serious charges against him were dismissed. He remains, however, in prison pending the determination of the remaining charge. At recent hearings of the case, testimony was received from co-accuseds about police efforts to get them to incriminate the ETA President, including by the use of torture.

Dr Taye Woldesmiate's conditions in prison are appalling.

The outstanding appeal against the Court decision finding that Dr Taye Woldesmiate, Gemoraw Kassa and the current Executive Council of ETA are the legitimately elected leaders of ETA and entitled to access to its properties and bank accounts is constantly being adjourned with no decision. The judge who initially ruled in ETA's favour was dismissed shortly after so doing. However, in the absence of any notification to ETA their frozen bank account was, in April 1998, handed over to the rival group.

Recent harassment of ETA members includes use of an evaluation system which has non-professional, and in particular, governing party members assessing teachers' work in the classroom.

EI member organisation: Ethiopian Teachers' Association (ETA)
Membership: 120,000

GABON - GABONESE REPUBLIC

Population: 1,190,159

Population < 25:	N/A	Life Expectancy at birth:	53.8m/57.2f
Illiteracy:	26.3%m/46.7%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	52	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: The Government has used oil revenue to build schools, to pay adequate teachers salaries, and to promote education, even in rural areas. Schooling is officially compulsory in Gabon for all children between the ages of 6 and 16, though not all children in that age group are as yet able to attend schools. About 210,000 pupils annually attend primary schools, and about 56,700 students are enrolled in secondary schools. Gabon has technical institutions and teachers colleges, as well as a university, the Université Omar Bongo. There are no restrictions on academic freedom, including research.

CHILD LABOUR: Children below the age of 16 may not work without the express consent of the Ministries of Labour, Education, and Public Health. These ministries rigorously enforce this law with respect to children, and there are few Gabonese under the age of 18 working in the modern wage sector. A significant number of children work in marketplaces or perform domestic duties. The United Nations Children's Fund and other concerned organisations have reported that government officials often privately use foreign child labour, mainly as domestic or agricultural help. These children do not go to school, have only limited means of acquiring medical attention and are often victims of exploitation by employers or foster families.

TRADE UNION RIGHTS: The Constitution places no restrictions on the right of association and recognises the right of citizens to form trade and labour unions. Public sector employees may unionise and their right to strike is only limited if it could jeopardise public safety. Strikes are legal if they are held after an eight-day notice advising that outside arbitration has failed. The Labour Code provides for collective bargaining.

El member organisation:
Syndicat des Enseignants
de l'Education Nationale
(SEENA)
Membership: 1,568

GAMBIA - REPUBLIC OF GAMBIA

Population: 1,248,085

Population < 25:	61.4%	Life Expectancy at birth:	45.4m/48.7f
Illiteracy:	47.2%m/75.1%f	School Life Expectancy (years):	6.1m/4f
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	30	Tertiary students per 100,000 inhabitants:	148
% of GNP spent on education:	5.5%	% of Govt. expenditure on education:	16%

Ratification of UN Convention on Rights of the Child: ✓
Ratification of fundamental ILO Conventions: 29 87 98 100 105 111 138 169

EDUCATION RIGHTS: There is no effective compulsory education and because of limited secondary school openings most children complete formal education by age 14. About 90,600 (52 percent of the eligible age group) are enrolled in primary schools. Females constitute about one-third of primary school pupils and roughly one-fourth of high school students. There is no university, but a university extension programme completed its second academic year in August 1997.

CHILD LABOUR: The statutory minimum age for employment is 18 years, but enforcement inspections rarely take place. Child labour protection does not extend to youth performing customary chores on family farms or engaged in petty trading. Many children work in markets and in street trading.

TRADE UNION RIGHTS: The Labour Act of 1990 specifically prohibits civil service employees from forming unions or striking. The Gambia Teachers' Union has built up its influence in the country. It has undertaken training activities and has built up its membership.

EI member organisation:
Gambia Teachers' Union (GTU)
Membership: 2,400

GHANA - REPUBLIC OF GHANA

Population: 18,100,703

Population < 25:	32% (1990)	Life Expectancy at birth:	56.2m/59.9f
Illiteracy:	24.1%m/46.5%f	School Life Expectancy (years):	N/A
Net enrolment first level:	78% (1993)	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	29	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	38.8%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Six years of primary education and three years of secondary education are free and compulsory in Ghana, although associated costs still make it too expensive for the poorest families. In 1993 some 2.1 million pupils were attending about 15,900 primary schools annually, and lower secondary schools (12-14 years) had an enrolment of about 700,000. Some districts provide early childhood education with parents contributing to the costs. The Government is proposing to remove all trained teachers from early childhood services and place them in primary schools. There is little or no discrimination against females in education, but girls and women frequently drop out of school due to societal or economic pressures. Females represent only 23 percent of enrolments at university level. There are four universities. There is currently no restriction of academic freedom on university campuses. EI's affiliates GNAT and TEWU are engaged with EI in a major study on the impact of structural adjustment on education in Ghana.

CHILD LABOUR: Fifteen is the minimum age for employment, and labour legislation prohibits night work and certain types of hazardous labour for those under 18 years of age. In practice child employment is widespread, and young children of school age often perform menial tasks during the day in the market or collect fares on local buses. An ILO survey concluded that 11 percent of school age children were employed for wages, and another 15 percent without remuneration.

Trokosi, a traditional practice found among the Ewe ethnic group, is an especially severe abuse and a flagrant violation of children and women's rights. It is a system in which a young girl, usually under the age of 10, is made a slave to a fetish shrine for offences allegedly committed by a member of the girl's family. The girl becomes the sexual and servant property of the fetish priest. Although the Constitution outlaws slavery, Parliament has yet to pass a law explicitly prohibiting Trokosi.

TRADE UNION RIGHTS: The right of association is restricted, as the Trade Union Ordinance confers broad powers on the Government to refuse to register a trade union. In practice, this has not happened. The law recognises the right to strike, but because of the complicated system for settling disputes, there have been no legal strikes since independence. The Industrial Relations Act provides a framework for collective bargaining. In the past teacher unions have not been permitted to be members of the trade union centre.

EI member organisations:
Ghana National Association
of Teachers (GNAT)
Membership: 125,000

Teachers' and Educational
Workers' Union (TEWU)
Membership: 32,000

GUINEA - REPUBLIC OF GUINEA

Population: 7,405,375

Population < 25:	N/A	Life Expectancy at birth:	46m/47f
Illiteracy:	50.1%m/78.1%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	82%m/75%f
Primary Pupil Teacher Ratio:	49	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138	169

EDUCATION RIGHTS: Education is free and officially compulsory for all children between the ages of seven and 13. Total enrolment in primary education in 1997 was just over 580,000: approximately 35 percent of all eligible children. The ratio is much smaller for secondary schools. The proportion of girls enrolled in secondary schools is much lower than the percentage in primary schools (where it is about 34 percent). The Government spent five percent of its gross domestic product on education in 1996. Guinea has two universities, and 21 other institutions of higher education.

CHILD LABOUR: The minimum age for employment is officially 16 years. Apprentices, however, may start at 14 years. Workers and apprentices under the age of 18 are not permitted to work at night, nor for more than 12 consecutive hours, nor on Sundays. The Labour Code also stipulates that the Minister of Labour and Social Affairs must maintain a list of occupations in which women and youth under the age of 18 cannot be employed. In practice enforcement by Ministry inspectors is limited to large firms in the formal sector of the economy. A 1997 study by the Ministry of planning states that approximately 66 percent of children between the ages of seven and 14 were employed in the rural sector, the rate jumped to 91 percent in the 15 to 19 age group. In urban areas, approximately 19 percent of children between the ages of 7 and 14 are employed. The rate jumps to 50 percent for children between the ages of 15 and 19. Child labour in factories is not a prevalent problem because of the low level of manufacturing.

TRADE UNION RIGHTS: The Constitution provides for the right of employees to form independent trade unions and prohibits discrimination based on union affiliation. The Labour Code grants salaried workers, including public sector civilian employees, the right to strike 10 days after their representative union makes known its intention to strike. Members of the EI affiliate, the Free Union of Educators and Researchers of Guinea (SLEGG) and the Professional Union Federation for Education (FSPE), went on strike during 1997 to restore a previously agreed wage increase as well as cost of living adjustments. Union leaders reported harassment by the Government and its supporters, including the arrest of eight teachers, mob attacks on teachers' homes, cutting of phone lines, burning tires in front of union headquarters by youths armed with rocks and clubs, threatening phone calls, and refusal by police to intervene. In August the teachers received an eight percent increase (the same increase was given to all other civil servants). Teachers also received the right to claim seniority benefits for any past training or internships.

EI member organisations:
Fédération Syndicale
Professionnelle de l'Education
(FSPE)
Membership: 15,250

Syndicat Libre des
Enseignants et Chercheurs de
Guinée (SLECG)
Membership: 9,000

GUINEA-BISSAU - REPUBLIC OF GUINEA-BISSAU

Population: 1,178,584

Population < 25:	46.1%	Life Expectancy at birth:	42.4m/45f
Illiteracy:	32%m/57.5%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓		✓	✓	✓	✓		

EDUCATION RIGHTS: Education is compulsory between the ages of seven and 13. In the late 1980s about 650 primary and secondary schools had a combined annual enrolment of more than 86,100 students. Women are responsible for most work on subsistence farms and have limited access to education, especially in rural areas. The country has several teacher-training colleges. A government programme in the 1980s to lower the high adult illiteracy rate succeeded in improving literacy by 25 percent.

CHILD LABOUR: The law established a minimum age of 14 for general factory labour and 18 years for heavy or dangerous labour, including all labour in mines. These minimum age requirements are generally followed in the small wage sector. In the informal sector, children often work as street traders, and those in rural communities do domestic and field-work without pay. The Government does not attempt to discourage these traditional practices.

TRADE UNION RIGHTS: The Constitution provides all civilian workers with the freedom to form and join trade unions. The only legal restriction on strike activity is the requirement for prior notice. The Constitution does not provide or protect the right to bargain collectively, and there were no instances of genuine collective bargaining in 1997. Police attacked a peaceful gathering of construction workers on strike over pay and conditions at the end of September 1997. On 13, 14, and 15 May 1998 SINAPROF members went on strike to protest against non-payment of salaries and to support changes to the school year.

EI member organisation:
Sindicato Nacional dos Professores (SINAPROF)
Membership: 1,590

KENYA - REPUBLIC OF KENYA

Population: 28,807,085

Population < 25:	N/A	**Life Expectancy at birth:**	52.3m/55.7f
Illiteracy:	13.7%m/30%f	**School Life Expectancy (years):**	N/A
Net enrolment first level:	N/A	**% of 1994 cohort reaching grade 5:**	68%
Primary Pupil Teacher Ratio:	31	**Tertiary students per 100,000 inhabitants:**	N/A
% of GNP spent on education:	7.4%	**% of Govt. expenditure on education:**	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓		✓		✓		✓	

EDUCATION RIGHTS: The system of free education in the early years of Kenya's independence (1963) has given way to a 'cost-sharing' education system in which students pay tuition and other costs. These are a heavy burden on most families. While there is compulsory schooling for all up to grade 12, there is a very high dropout rate in part because of the heavy educational expenses. Moreover the shortage of schools obviates the legally required universal schooling. Levels of education and literacy are widely different for men and women. The number of boys and girls in school is roughly equal at the primary level, and then becomes increasingly disproportionate until men outnumber women almost two to one in higher education.

Approximately 5.4 million pupils annually attend about 14,690 primary schools with a teaching staff of more than 172,000 and about 614,000 students attend more than 2,750 secondary and teacher-training schools staffed by some 35,100 teachers.

Kenya has four universities and a number of specialised colleges, including the Kenya Conservatoire of Music. Despite constitutional provisions for free speech, both school administrators and security forces circumscribe academic freedom. A number of student activists have been expelled from universities in recent years because of political activities, and most have been refused re-admission. In 1997 Kenya's main university was closed for the second time in less than a year after rioting in which students shut down part of the capital. Students were protesting that their study loans were being eroded by inflation, that government had cut education spending, and the fact that the University of Nairobi had decided to admit fee-paying students to the business and medical faculties even if they have lower grades than subsidised students.

CHILD LABOUR: The ILO reports that in 1995, 41.3 percent of children aged 10 to 14 were working. The Government is making efforts to eliminate child labour, working closely with the ILO's International Programme for the Elimination of Child Labour. The employment in industry of children under the age of 16 is illegal but the Employment Act applies neither to the agricultural sector, where about 70 percent of the labour force is employed, nor to children serving as apprentices under the terms of the Industrial Training Act. Children often work as domestic servants in private homes, including those of relatives. Although there is no widespread pattern of children being used as forced or bonded labour, which is prohibited by law, there are some cases, mostly in rural areas, of children being loaned as workers to pay off debts.

There are many instances of children working in the informal sector, mostly in family businesses. In commercial agriculture, children usually assist parents, who are small shareholders, rather than work as employees in their own right.

There are an increasing number of underage girls employed in the sex industry. Child prostitution has emerged as a major problem in urban areas often connected with the tourist trade. A recent official study in Nyanza province found that Kisumu city had 300 male and female child prostitutes as young as eight years of age.

Economic displacement and population growth continued to fuel the problem of homeless street children who often turn to crime, including drug trafficking. The Child welfare society of Kenya estimated the number of Nairobi's street children at 45,000 in 1997, while the Government estimates their growth at 10 percent per year.

TRADE UNION RIGHTS: Except for central government civil servants, university academic staff, doctors and dentists, all workers are free to join unions of their choice. University professors were dismissed when they tried to form a trade union (UASU). Leaders, most of whom are now in exile, were harassed, and in some cases, imprisoned. Teachers, as well as other civil servants, may strike provided they give 28 days notice. During this 28-day period, the Minister of Labour may mediate, nominate an arbitrator, or refer the matter to the Industrial Court, for binding arbitration. Once a dispute is so disposed off any subsequent strike action is illegal. During 1997 the Kenya National Union of Teachers (KNUT), initiated successful job actions, including, strikes, 'sick-outs', and work slowdowns. After an eleven day strike in October 1997 the government settled the teachers' wage dispute after initially threatening to sack teachers who did not go back to work. However, Court action by the union was required before the salary increase was finally implemented.

EI member organisations:
Kenya National Union of Teachers (KNUT)
Membership: 158,619

Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers (KUDHEIHA)
Membership: 10,000

LESOTHO - KINGDOM OF LESOTHO

Population: 2,007.814

Population < 25:	57.7%	Life Expectancy at birth:	57.3m/59.9f
Illiteracy:	18.9%m/37.7%f	School Life Expectancy (years):	7.6m/9f
Net enrolment first level:	60%m/71%f	% of 1994 cohort reaching grade 5:	72%m/87%f
Primary Pupil Teacher Ratio:	49	Tertiary students per 100,000 inhabitants:	221
% of GNP spent on education:	5.9%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓					

EDUCATION RIGHTS: Education is not compulsory even for the primary levels. There are significant instances particularly in rural areas, where children do not attend school because they are involved in subsistence activities in support of their family's welfare, or families cannot afford the costs associated with school attendance (for example, fees for purchase of uniforms, books, and materials). This problem of school non-attendance affects boys disproportionately more than girls. Christian missions under the direction of the Minister of Education operate most schools. Nearly 362,700 pupils annually attend some 1,200 primary schools and about 53,500 pupils attend secondary and vocational schools. The National University of Lesotho, is attended by about 1,400 students and has a teaching staff of more than 200.

CHILD LABOUR: The legal minimum age for employment in commercial or industrial enterprises is 14. In practice, however, children under age 14 are often employed in the textile and garment sector and in family-owned businesses. As much as 15 percent of the textile work force of some 15,000 may be children between the ages of 12 and 15. There are prohibitions against the employment of minors in commercial, industrial or non-family enterprises involving hazardous or dangerous working conditions, but enforcement is very lax. In traditional society, the rigorous and occasionally dangerous working conditions for the country's young livestock herdboys are considered a rite of passage and a prerequisite to manhood within rural Basotho culture

TRADE UNION RIGHTS: The Government brought in a new law in 1996 which banned civil servants from forming or joining trade unions. A bill passed in parliament in 1995, standardising teachers' terms and conditions, and banning them from striking, came into force in 1996. The Government said that teaching was an essential service.

EI member organisation:
Lesotho Association of
Teachers (LAT)
Membership: 6,535

LIBERIA - REPUBLIC OF LIBERIA

Population: 2,602,068

Population < 25:	N/A	Life Expectancy at birth:	50m/53f
Illiteracy:	46.1m/77.6f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓		✓	✓		

EDUCATION RIGHTS: Due to the poor condition of government schools, most children who attended school before the most recent civil war went to private institutions. Since the Government decided not to pay private schools the subsidies that had been in effect before the war, school fees have drastically increased, thereby denying a large sector of the school-age population access to education. In both public and private schools, children often are asked to provide their own books, and equipment, including desks.

Since 1990 over 1.2 million citizens (of an estimated prewar population of 2.8 million) have been internally displaced, and as many as 480,000 Liberian refugees remain in neighbouring West African countries. Denied a normal childhood during the civil war, Liberian youth were seriously victimised. As education and nurturing were almost completely disrupted, many children suffered posttraumatic stress disorder syndrome. It is estimated that 1.4 million children experienced violence, hunger and homelessness during the war.

Academic freedom is generally respected at the University of Liberia; however the administrators and faculty carefully avoided antagonising any powerful interest groups. Due to a lack of funding, the university did not begin its 1997 academic year in August, as is customary, but resumed in December.

CHILD LABOUR: An estimated 50,000 children were killed during the civil war. Of those wounded, orphaned, or abandoned, many witnessed terrible atrocities or committed atrocities themselves. Twenty-one percent of the combatants who disarmed under the provision of the peace accord were child soldiers. There were credible reports, that former adult combatants kidnapped former child soldiers who had been reunited with their families in order to use them as forced labour, primarily in illicit logging and mining operations.

Even before the civil war, enforcement of the law prohibiting employment of children under age 16 during school hours in the wage sector was lax. In all areas of the country, particularly where there are no schools, small children continue to work on the street, or to work on family subsistence farms.

TRADE UNION RIGHTS: Government interference in union activities was commonplace both before and during the civil war. The Constitution states that workers have the right to associate in trade unions. The Constitution is silent on the right to strike. EI affiliates LINEWU and NTAL took joint strike action in January 1997 to protest non-payment of salaries, the lack of instructional materials and to urge the Government to involve the two unions in education policy development. Most civil servants, who had not been paid for almost a year, were paid by the end of December 1997. With the exception of civil servants, workers have the right to organise and bargain collectively.

EI member organisations:
Liberia National Educational Workers Union (LINEWU)
Membership: 1,453

National Teachers' Association of Liberia (NTAL)
Membership: 3,000

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MALAWI - REPUBLIC OF MALAWI

Population: 9,609,081

Population < 25:	64.1%	Life Expectancy at birth:	40.3m/41.1f
Illiteracy:	28.1%m/58.2%f	School Life Expectancy (years):	11m/9.9f
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	62	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	5.7%	% of Govt. expenditure on education:	15%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
			✓	✓		✓		

EDUCATION RIGHTS: Primary education in Malawi is now free and universal, but it is not compulsory. Less than 20 percent of children finish primary school, which runs from age six to 13. Girls drop out of school more frequently than boys, and in the last year of primary school, only about 25 percent of all students are girls. However, there have been significant gains in girls' education in recent years. Girls are now entering first grade in the same proportion as boys, and 39 percent of the secondary school entrants are girls. In an effort to reduce overcrowding, the Government has recruited more than 20,000 new teachers since 1994. The University of Malawi had nearly 2,700 students in the late 1980s. There were no restrictions reported on academic freedom in 1997. A new era began with the demise of founding president, Banda.

CHILD LABOUR: There is significant child labour on tobacco and tea estates, subsistence farms, and in domestic service. The problem of street children worsened in 1997 as the number of orphans whose parents died from HIV/AIDS increased. In 1995 there were an estimated 140,000 children who had lost their mother to AIDS: this figure is expected to rise to 300,000 by the year 2000. The ILO reports that in 1995, 35.2 percent of children aged 10 to 14 were working.

TRADE UNION RIGHTS: Workers, including teachers, have the legal right to form and join trade unions. Members of registered unions in 'essential services' have the right to strike after having carried out prescribed procedures. Essential services, however, are nowhere defined. In April 1997 the

Government intimidated civil servant and teacher strikers by, among other things, dispersing them with tear gas and police dogs, prohibiting them from assembling peacefully outside their places of work, arresting activists on dubious grounds, and suspending or transferring strike leaders. The civil servants returned to work without resolving any of the outstanding issues. The right to bargain collectively, although practiced, is only implied and not expressly protected by law. In October 1997 and then again in February 1998 EI affiliate TUM petitioned the National Assembly to deliberate on talks over the Chatsika Report and the Teaching Service Commission Regulations. They were particularly concerned at the delays in implementing an agreed pay package.

EI member organisation:
Teachers' Union of Malawi
(TUM)
Membership: 21,000

MALI - REPUBLIC OF MALI

Population: 9,945,387

Population < 25:	N/A	Life Expectancy at birth:	46.4m/49.7f
Illiteracy:	60.6%m/76.9%f	School Life Expectancy (years):	N/A
Net enrolment first level:	30%m/19%f	% of 1994 cohort reaching grade 5:	75%m/70%f
Primary Pupil Teacher Ratio:	66	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	2.2%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

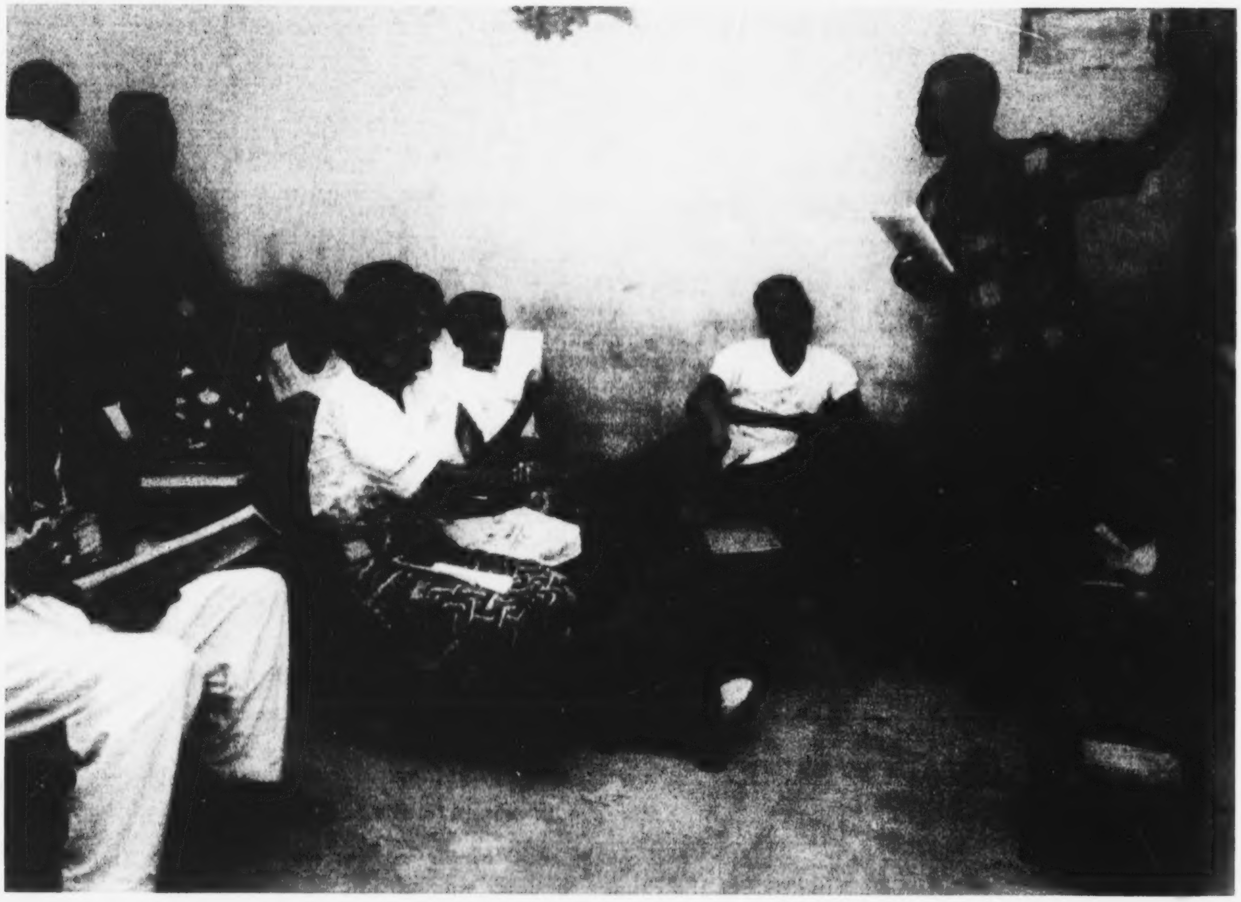
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Education is free and in principle open to all, although the majority of students leave school by the age of 12. While primary school is compulsory up to the sixth grade, it is only available to one-half of the children. As the figures show illiteracy rates are extremely high. Female children are particularly disadvantaged. The Saudi Arabian Government is funding the expansion of Koranic schools.

CHILD LABOUR: Regulations which control the work which may be undertaken by children are often ignored in practice, and the labour code has no effect on the vast number of children who work in rural areas, helping with family farms and herds, and in the informal sector. Child labour predominates in the agricultural sector, and to a lesser degree in crafts and trades apprenticeship and cottage industries. Laws against unjust compensation, excessive hours, or capricious discharge do not protect these children. The ILO reports that in 1995 54.5 percent of children between the age of 10 and 14 were working.

TRADE UNION RIGHTS: The Constitution and the Labour Code specifically provide for the freedom of workers to form or join unions and protect freedom of association, and provides for the right to strike. Following the move to multi-party democracy multiple unions emerged, particularly in the education sector. There have been allegations of considerable government interference in union affairs and specifically in the elections for leadership of the federation UNTM. The Government is also believed to have funded the congress of a rival group.

EI member organisation:
Syndicat National de l'Education et de la Culture UNTM, SNEC/UNTM
Membership: 8,025



MAURITIUS - REPUBLIC OF MAURITIUS

Population: 1,154,272

Population < 25:	31.6%	Life Expectancy at birth:	68.3m/75f
Illiteracy:	12.9%m/21.2%f	School Life Expectancy (years):	N/A
Net enrolment first level:	96%	% of 1994 cohort reaching grade 5:	99%
Primary Pupil Teacher Ratio:	22	Tertiary students per 100,000 inhabitants:	564
% of GNP spent on education:	4.3%	% of Govt. expenditure on education:	17.3%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓		✓		✓		✓	

EDUCATION RIGHTS: Education is compulsory up to the age of 12. The Government plans to increase compulsory education to nine years of schooling, which will keep children in school until the age of 15. There are plans to establish vocational schools to train those who leave school early. As a positive step towards eliminating discrimination against women, domestic violence and the problem of child labour, the Government decided to introduce human rights education in secondary schools and has prepared a curriculum for introduction in 1998.

CHILD LABOUR: The legal minimum age for employment of children is 15 years. However, children unable to attend secondary schools often seek apprenticeships in the trades. The Ministry of Labour carries out frequent inspections to enforce the minimum age for employment. In an ILO report listing the percentage of economically active children aged between 10 and 14 in 28 African countries, Mauritius had by far the lowest level with just three percent. Child labour in homes, on farms, and in shops is common on Rodrigues Island, which is the principal problem area because of the difficulty of monitoring. Rodrigues (population 37,000), is an isolated community, some 560 kilometres north-east of the main island.

TRADE UNION RIGHTS: The Constitution explicitly protects the right of workers to associate in trade unions, and there is an active trade union movement. Wage setting by the Government in the state sector undermines free collective bargaining. Legal strikes are made virtually impossible by lengthy pre-strike procedures and binding arbitration.

During 1997 the Government threatened trade unionists on three occasions. In August, police told the MLC national union centre that eleven trade union leaders would be prosecuted for their part in a peaceful March in June 1996 when union leaders had been assaulted by riot police. About the same time, the EI affiliate, the Government Teachers' Union (GTU), organised a forum on the Government's draft education bill. Two days before the forum, the Ministry of Education wrote to the union asking it to cancel the forum because, it said, the union was getting involved in political activities. The Government letter said "the GTU as a trade union is expected to carry out activities which are consistent with trade unionism and devoid of any political connotations." In October the twelve executive council members of the Nursing Association were attacked on television, then suspended by the Minister for what he claimed was their refusal to cooperate with efforts to improve services. They were reinstated in November.

EI member organisation:
Government Teachers' Union
(GUT)
Membership: 4,358

MOROCCO - KINGDOM OF MOROCCO

Population: 30,391,423

Population < 25:	62.8%	Life Expectancy at birth:	64.8m/68.5f
Illiteracy:	43.4%m/69%f	School Life Expectancy (years):	N/A
Net enrolment first level:	81%m/62%f	% of 1994 cohort reaching grade 5:	80%m/77%f
Primary Pupil Teacher Ratio:	28	Tertiary students per 100,000 inhabitants:	1,153
% of GNP spent on education:	5.6%	% of Govt. expenditure on education:	22.6%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓		✓	✓	✓	✓		

EDUCATION RIGHTS: Schooling is compulsory in Morocco for children between the age of seven and 13. Girls are much less likely to be sent to school than are boys, especially in rural areas when the quality of schooling is inferior to urban areas. Women who do earn secondary school diplomas, however, have equal access to university education. In the late 1980s more than 2.9 million pupils attended primary or early childhood schools, and more than 1.3 million students were enrolled in secondary and vocational schools. About 240,000 people were enrolled in schools of higher education in Morocco. In January 1997 the Government initiated a crackdown on student demonstrations over transportation costs which, it said, were being exploited by Islamic fundamentalist groups. In September police violently broke up demonstrations of students protesting conditions on the Hassan II University campus and lack of freedom to assemble and pray. In November security forces violently broke up several student demonstrations on campus across the country, severely beating protesters and causing numerous injuries, including one death.

CHILD LABOUR: The law prohibits the employment or apprenticeship of any child under 12 years of age. Special regulations cover the employment of children between the ages of 12 and 16 years. Abuse of the child labour laws is common. In practice, children are often apprenticed before age 12, particularly in the handicraft industry. The use of minors is common in the rug-making industry and also exists to some extent in the textile and leather goods industries. Children are also employed informally as domestics and usually receive little or no wage. The practice of adoptive servitude, in which families adopt young girls who serve as domestic servants, is socially accepted, and the Government does not regulate it. Physical abuse in such cases is widespread.

TRADE UNION RIGHTS: Although workers are free to establish and join trade unions, the unions themselves are not completely free of government interference. Furthermore, employers are free to promote employer-dominated unions. The right to strike and to organise and bargain collectively are severely constrained because of the lack of adequate protection. Loopholes in the law allow employers to victimise unionists. During 1996 and 1997 education workers took limited strike action to protest their poor working conditions, the effects of structural adjustment programmes on education and the failure of the Government to enter into dialogue with them.

EI member organisation:
Syndicat National
de l'Enseignement -
Confédération Démocratique
du Travail (SNE-CDT)
Membership: 45,000

MOZAMBIQUE - REPUBLIC OF MOZAMBIQUE

Population: 18,165,476

Population < 25:	32.3%	Life Expectancy at birth:	45.5m/48.4f
Illiteracy:	42.3%m/76.7%f	School Life Expectancy (years):	4m/2.8f
Net enrolment first level:	81%m/62%f	% of 1994 cohort reaching grade 5:	52%m/39%f
Primary Pupil Teacher Ratio:	58	Tertiary students per 100,000 inhabitants:	41
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
		✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Mozambique was a victim of the apartheid regime in South Africa which encouraged, financed and maintained the civil war. Expansion of primary and secondary education is hampered by the limited number of trained teachers and by civil instability. Primary education is not compulsory, and only 60 percent of school-age children attend classes. The education system was virtually destroyed by the civil war and considerable resources are required for its rebuilding. There are credible reports that the education system is corrupt. It is reported that school children (or their parents) must bribe teachers for passing grades. Although roughly equal proportions of male and female children enter primary school, by secondary school only 36 percent of students are female, and by technical or higher levels, only 20 percent are female. In rural areas, where over 80 percent of the population live, and where women are engaged mainly in subsistence farming and child rearing, there is little or no opportunity for schooling. Eduardo Mondlane University, in Maputo, is the major institution of higher education.

CHILD LABOUR: In the formal economy, the minimum working age is 18 years. Children between the ages of 15 and 18 may work with the permission of their parents and the Ministry of Education. Children younger than 15 are not permitted to work. Because of high adult unemployment, estimated at around 50 percent, few children are employed in regular wage positions. However, children, including those under age 15, commonly work on family farms or in the urban informal sector. The ILO reports that in 1995, 33.8 percent of children aged between 10 and 14 were working.

The Government has not focused on the issue of child labour but rather on the plight of some 300,000 children orphaned and traumatised by civil war and in need of social reintegration. The law does not specifically prohibit forced and bonded labour by children and such practices are known to occur in rural areas where children are sometimes used as labour to settle economic accounts.

TRADE UNION RIGHTS: The Constitution specifies that all workers are free to join a trade union, but civil servants are not permitted to take strike action. The law protects the right of workers to organise and engage in collective bargaining. In November 1997 Parliament began a debate on the proposed revision of Mozambique's labour law, which would include important changes in wage and benefit provisions, women's rights in the workplace, sexual harassment standards, the relationship between employers and workers, and the financing of labour unions. Although the law was approved in its general form, debate and final voting on the details of the draft bill were suspended until the 1998 parliamentary session.

EI member organisation:
Organizaçao Nacional dos
Professores (ONP)
Membership: 5.313

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NAMIBIA - REPUBLIC OF NAMIBIA

Population: 1,727,183

Population < 25:	N/A	**Life Expectancy at birth:**	54.7m/56.6f
Illiteracy:	N/A	**School Life Expectancy (years):**	12.3
Net enrolment first level:	92%	**% of 1994 cohort reaching grade 5:**	79m/84f
Primary Pupil Teacher Ratio:	32	**Tertiary students per 100,000 inhabitants:**	738
% of GNP spent on education:	9.4%	**% of Govt. expenditure on education:**	21.3%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
		✓	✓					

EDUCATION RIGHTS: Education is officially compulsory for nine years but some ethnic groups, including the Bushmen, also known as the San, have very limited access to schooling. About 349,200 students attend primary schools and 84,600 attend secondary schools. There has been a change since independence in the language of instruction from Afrikaans to English.

CHILD LABOUR: Under the 1992 Labour Act, the minimum age for employment is 14 years, with higher age requirements for certain sectors such as mining, construction, and night work. Ministry of Labour inspectors generally enforce minimum age regulations, but children below the age of 14 often work on family and commercial farms and in the informal sector. A 1991 census report on the status of children estimates that 13,800 children under 15 years are already in the labour force. Of these, 41 percent are working as unpaid labourers on family and commercial farms. Boys in rural areas traditionally start herding livestock at the age of seven. According to 1991 figures, approximately 2 percent of farm workers are children (mainly from the San ethnic group). There were also reports that Angolan and Zambian children, who are not protected by the Labour Act, work on communal and cattle farms in border areas.

TRADE UNION RIGHTS: The Constitution provides for freedom of association, including freedom to form and join trade unions. The 1992 Labour Act extended that right to civil servants. Under the Act, strike action can only be used once conciliation procedures have been exhausted, and then only in disputes involving specific worker interests, such as pay raises. The Act provides employees with the right to bargain individually or collectively.

EI member organisation:
Namibia National Teachers' Union (NANTU)
Membership: 11,000

NIGER - REPUBLIC OF NIGER

Population: 9,388,859

Population < 25:	63.5%	**Life Expectancy at birth:**	46.9m/50.2f
Illiteracy:	79.1%m/93.4%f	**School Life Expectancy (years):**	N/A
Net enrolment first level:	N/A	**% of 1994 cohort reaching grade 5:**	76%m/78%f
Primary Pupil Teacher Ratio:	37	**Tertiary students per 100,000 inhabitants:**	N/A
% of GNP spent on education:	N/A	**% of Govt. expenditure on education:**	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Schooling in Niger is free and compulsory between the ages of seven and 15. Because of a shortage of teachers and the wide dispersion of the population, only about 25 percent of children of primary school age attend school, and about 60 percent of those finishing primary school are boys. Illiteracy rates remain extremely high. The majority of young girls are kept at home to work and rarely attend school for more than a few years, resulting in a female literacy rate of seven percent, versus 18 percent for males. Some 368,700 pupils annually attend primary schools, and about 74,300 students are enrolled in secondary schools. Students in vocational and teacher-training schools number about 2,400. Advance education is available at the University of Niamey.

CHILD LABOUR: Child labour in non-industrial enterprises is permitted by law under certain conditions. Children under the age of 14 must obtain special authorisation to work, and those 14 to 18 years are subject to limitation on hours and types of employment (no industrial work) so that schooling may continue. Child labour is practically nonexistent in the formal sector, although children work in the unregulated agricultural, commercial, and artisan sectors. Rural children regularly work with their families from a very early age. Some children are kept out of schools to guide a blind relative on begging rounds; others are sometimes employed by Koranic teachers to beg in the streets. The ILO reports that in 1995, 45.2 percent of children aged between 10 and 14 were working.

TRADE UNION RIGHTS: The Constitution provides formal recognition of workers' longstanding right to establish and join trade unions. The National Union of Nigerien Workers and the affiliated National Union of Nigerien Teachers (SNEN) profess political autonomy. In private and state-owned enterprises, unions widely use their right to bargain collectively. Collective bargaining also exists in the public sector. However, since most organised workers, including teachers, are government employees, the Government is actually involved in most bargaining agreements. The Constitution provides the right to strike but public workers must maintain a minimum level of service during a strike. Teacher's salaries are seven months in arrears. Many have had to find additional work to meet their obligations. Following the substantial devaluation of the francophone Africa franc (CFA) in the early 1990s, salaries were reduced by 30 percent. In addition a special tax has been imposed on civil servants. In October 1997 over 1,000 teachers were transferred and suspended following a strike by SNEN.

Teachers at the University of Niamey began an open-ended strike on 22 October 1997 which was resolved by year's end. The faculty protested the deterioration of their living and working conditions. They demanded back pay and more resources for university instruction. Riot police were deployed in Niamey on 13 November as thousands of university students, accompanied by parallel marches of secondary school students, demonstrated to demand unpaid allowances.

EI member organisations:
Syndicat National des Enseignants du Niger (SNEN)
Membership: 14,500

Syndicat National des Agents de la Jeunesse, de la Culture et des Sports (SYNAJECS)
Membership: 1,121

NIGERIA - FEDERAL REPUBLIC OF NIGERIA

Population: 107.129.469

Population < 25:	62.4%	Life Expectancy at birth:	50.8m/54f
Illiteracy:	32.7%m/52.7%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	80%
Primary Pupil Teacher Ratio:	37	Tertiary students per 100,000 inhabitants:	367
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111	138	169

EDUCATION RIGHTS: Primary education is compulsory, although this requirement is rarely enforced. Public schools continued to deteriorate in 1997, and limited facilities precluded access to education for many children. Historically old Koranic schools are widespread throughout the north, and Christian missionaries brought western style education to the coastal areas as early as the 1830s. Primary schooling takes six years to complete. Secondary schooling is organised in two successive phases of three years each.

Western higher education, begun in 1948 with the founding of the University of Ibadan, is found throughout the country. During 1997, the military Government increased its efforts to limit academic freedom. Security forces routinely monitored and on occasion interfered with conferences they perceived as forums for pro-democracy or human rights groups. The May 1996 ban on activities by the National Association of Nigerian Students continued. The Government also continued a ban on university staff unions. Nigerian embassies often refused to issue visas to visiting lecturers and artists. This policy limited discussion between foreign and Nigerian academicians on topics of mutual interest.

Eighteen professors were arrested at the University of Nigeria after student unrest on the campus in February 1997. The professors were reportedly released, although their cases have yet to be resolved.

CHILD LABOUR: The 1974 Labour Decree prohibits employment of children under 18 years of age in commerce and industry, and restricts other child labour to home-based agricultural or domestic work. The law further stipulates that children many not be employed in agricultural or domestic work for more than eight hours per day. The decree allows the apprenticeship of youths at age 13 under specific conditions. The lack of sufficient primary school infrastructure has ended some families' access to education, forcing them to place children in the labour market. Growing economic difficulties have led to a substantial increase in the use of children for commercial activities aimed at enhancing meagre family income. The use of children as hawkers, beggars and bus conductors is widespread in urban areas. There are reports of trafficking in children: in 1996 one NGO reported an illegal child trade exporting Nigerian children to other West African nations. The children are reportedly sold into domestic servitude or forced to work as prostitutes.

TRADE UNION RIGHTS: Worker rights further deteriorated in 1997 as the Government continued its far-reaching interference in the affairs of organised labour. Since 1994, the Government has systematically weakened the independence and viability of the labour movement by enacting decrees to restrict selection of union leaders; directing union mergers; dissolving some unions entirely; and throwing into question the legal status of other labour organisations. Workers, except members of the armed forces and employees designated as essential by the Government, may join trade unions. Since issuing the Teaching Essential Services Decree in May 1993, the Government has considered education as essential service. The Decree did not, however proscribe education sector unions. The right to strike is recognised by law, except for those performing essential services. The labour laws provide for both the right to organise and the right to bargain collectively between management and trade unions. In January 1997 the budget announced the abolition of the uniform national salary structure and deregulation of collective bargaining in the civil service. The Government directed each state administration to establish its own salary structure on the basis of its ability to pay and with reference to the minimum wage.

In August 1996, the Government dissolved three campus-based unions in response to a nationwide strike launched in April 1996 by the Academic Staff Union of Universities (ASUU). In addition to proscribing the ASUU, the Government dissolved two non-striking unions, the Non-academic Staff Union and the Senior Staff Association of Nigerian Universities, and seized their assets.

The military Government prevents unions from affiliating to international bodies and EI' s affiliate, NUT, is currently exploring how to maintain the relationship. .In 1997 Nigeria was again the subject of a special paragraph at the ILO Conference, due to the Government's disregard for worker rights and violations of Convention 87. With the death of General Abacha in June 1998 there appeared to be some possibility of change, in particular with the release of political prisoners and jailed trade unionists.

EI member organisation:
Nigeria Union of Teachers (NUT)
Membership: 350,000

RWANDA - REPUBLIC OF RWANDA

Population: 7,737,537

Population < 25:	67.3%	Life Expectancy at birth:	40.8m/43.4f
Illiteracy:	30.2%m/48.4%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
		✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: During the 1994 genocide and national upheaval, education at all levels ceased and has yet to be fully restored. Some 14,000 teachers are thought to have been killed during the genocide. At the same time some teachers were active in the genocide. Schooling is free, and in principle compulsory for children aged seven through 15. As many as 50,000 children, separated from their parents in 1994, remain in the care of strangers or international organisations.

CHILD LABOUR: Except in subsistence agriculture, the law prohibits children under age 18 from working without their parents' or guardians' authorisation. The minimum age for full employment is 18 years, and 14 years for apprenticeships, providing that the child has completed primary school. Child labour laws are not enforced effectively.

TRADE UNION RIGHTS: In practice there is no functioning trade union movement, given the massive disruptions caused by the 1994 genocide. Pre-conflict labour law technically remains in effect. The Constitution provides for the right to create professional associations and trade unions. Union membership is open to all salaried workers, including public sector employees. The Constitution provides for the right to strike, except for public service workers. With regard to collective bargaining, in practice, since most union members are in the public sector, the Government is intimately involved in the process. The EER is working to rebuild the union and to help deal with the situation of traumatised students and teachers.

EI member organisation:
Equipes Enseignantes du Rwanda (EER)
Membership: 5,200

SENEGAL - REPUBLIC OF SENEGAL

Population: 9,403,545

Population < 25:	65.6%	Life Expectancy at birth:	50.3m/52.3f
Illiteracy:	57%m/76.8%f	School Life Expectancy (years):	N/A
Net enrolment first level:	60%m/48%f	% of 1994 cohort reaching grade 5:	81%
Primary Pupil Teacher Ratio:	58	Tertiary students per 100,000 inhabitants:	290
% of GNP spent on education:	3.6%	% of Govt. expenditure on education:	33.1%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Education in Senegal is, in theory, compulsory for all children between the ages of six and 12. In the late 1980s, however, only about 48 percent of primary-school-age children and 13 percent of secondary-school-age Senegalese were actually attending school. Some 682,900 students were annually enrolled in primary schools, 173,000 in secondary and vocational schools, and 16,800 in institutions of higher education, including the University of Dakar.

CHILD LABOUR: The Government has written a ban on child labour of all kinds into the Constitution. However, in lieu of being able to attend school, many children work in their family's fields. The minimum age for employment is 16 years for apprenticeships and 18 for all other types of work. However, children under the age of 16 frequently work in the traditional or informal sectors of the economy, where the Government does not enforce minimum age and other workplace regulations. The ILO reports that in 1995, 31.4 percent of children aged between 10 and 14 were working. Senegal is the base for an organisation of working children, most of whom are adolescents, promoting, with some international support, the right of children to work.

TRADE UNION RIGHTS: The Constitution and the Labour Code provide all workers with the right to freedom of association, and they are free to form or join unions. Unions representing members of the civil service must notify the Government of their intent to strike no less than one month in advance. The law also provides unions with the right to organise and to bargain collectively and these rights are protected in practice.

EI member organisations:
Syndicat National de l'Enseignement Elémentaire (SNEEL)
Membership: 6,300

Syndicat des professeurs du Sénégal (SYPROS)
Membership: 1,534

SIERRA LEONE - REPUBLIC OF SIERRA LEONE

Population: 4,891,546

Population < 25:	N/A	Life Expectancy at birth:	36m/39.1f
Illiteracy:	54.6%m/81.8%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

NOTE: In May 1997 the elected Government was violently overthrown by a military junta led by dissident junior officers calling themselves Armed Forces Revolutionary Council (AFRC) and in alliance with a rebel faction, Revolutionary United Front (RUF) - chaos, turmoil and anarchy continued throughout 1997 with a third of the population being displaced, many thousands fleeing to neighbouring states or to Europe, and many thousands of citizens killed. The elected President was returned to office in March 1998 by the Nigerian army serving as a regional force (ECOMOG). Rebel soldiers are still being cleared from the more remote parts of the country.

EDUCATION RIGHTS: In the early 1990s there were 1800 primary and 250 secondary or vocational schools and the University of Sierra Leone. Following the coup most businesses shut down and school teachers and many other public servants refused to return to work until the elected Government was restored. EI's affiliate, the Sierra Leone Teachers' Union (SLTU) called on all teachers to refuse to work in schools under the control of the military. At the end of 1997 all schools remained closed. With the return to democratic rule in March 1998, all educational institutions were reopened and by the end of May nearly all were operating. Much damage had been done to school buildings as well as to the minimal furniture and equipment that they had. The Government has begun remedial work on primary and secondary schools.

CHILD LABOUR: Children routinely assist in family businesses, especially those of vendors and petty traders. In rural areas, children work seasonally on family subsistence farms. Few children are involved in the industrial sector simply because the adult unemployment rate is so high. There have been reports that young children have been hired by foreign employers to work as domestics overseas at extremely low wages and in poor conditions. It should also be noted that the AFRC forcibly pressed teenage boys into military service. They often took boys of the streets of Freetown to expand its forces. The RUF frequently abducted villagers, including children, during its attacks and forced the abductees into involuntary servitude as labourers for the RUF. Many of the children eventually became fighters for the RUF. This continued even after the RUF joined the AFRC junta. RUF child soldiers are as young as eight years of age. Child soldiers, untrained, undisciplined and unsupervised committed many atrocities. A large number of children abducted into the various armed forces, or otherwise traumatised by civil chaos and barbarity, are experiencing serious psychological problems.

TRADE UNION RIGHTS: Prior to the military coup the Constitution provided that workers, including civil servants, had rights of association and the right to organise and bargain collectively. Under the military junta these rights were irrelevant. During the civil war EI's affiliate, The SLTU maintained a strong, principled stand on democratic issues and refused an invitation to be part of the rebel government. SLTU' stance on "no democracy no schools" was a very positive contribution towards the return of democracy in Sierra Leone. In some areas SLTU leaders and members were forced to flee and hide in the bush. The extent of teacher deaths is not known. Although SLTU headquarters were damaged by bullets and regional offices looted and vandalised, the organisation was fully operational by June 1998 with a newsletter and seminars in preparation and the distribution of rice to members to help them survive through the food shortages.

EI member organisation:
Sierra Leone Teachers' Union
(SLTU)
Membership: 18,543

SOUTH AFRICA - REPUBLIC OF SOUTH AFRICA

Population: 42,327,458

Population < 25:	58.2%	Life Expectancy at birth:	62.3m/68.3f
Illiteracy:	18.1%m/18.3%f	School Life Expectancy (years):	13m/13.2f
Net enrolment first level:	95%m/96%f	% of 1994 cohort reaching grade 5:	65%
Primary Pupil Teacher Ratio:	37	Tertiary students per 100,000 inhabitants:	1,524
% of GNP spent on education:	6.8%	% of Govt. expenditure on education:	20.5%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:

29	87	98	100	105	111	138	169
✓	✓	✓		✓	✓		

EDUCATION RIGHTS: The Schools Bill, passed by Parliament in 1996, aims to achieve greater educational opportunities for black children. It makes education compulsory from ages seven to 15, and establishes a single syllabus, and more equitable funding. The Government is deploying teachers from predominantly white to predominantly black schools in order to reduce pupil/teacher ratios in disadvantaged schools, and to redistribute funding from relatively rich to relatively poor school districts. Student populations on university campuses are becoming more representative of the country's racial profile, with previously all-white universities reaching out to recruit students from black and coloured townships. In the early 1990s South Africa's primary, secondary and special schools annually enrolled about 5,794,100 blacks, 1,021,400 whites, 874,300 coloureds, and 255,500 Asians. Among teachers, 142,200 taught blacks, 63,700 taught whites, 37,600 taught Coloureds, and 12,800 taught Asians. Students enrolled in universities and in teacher-training and technical schools included about 281,800 whites, 184,600 blacks, 42,100 Coloureds, and 34,800 Asians.

CHILD LABOUR: Law prohibits employment of minors under the age of 15. The fact that child labour laws do not protect children between 15 and 18 years of age has caused some debate within the Government. The Labour Directorate stated that there were about 200,000 children working in South Africa in 1997, some as young as five-years-old. This figure did not include unpaid domestic work or children working in the informal sector. Child prostitution is on the increase, primarily in Cape Town, Durban and

Johannesburg. An increase in the number of children living on the streets has contributed to the growing number of child prostitutes. The child sex industry has become increasingly organised, with children either being forced into prostitution or exploited by their parents to earn money for the family.

TRADE UNION RIGHTS: The Constitution provides for freedom of association and the right to strike and these rights are given statutory effect in the Labour Relations Act (LRA) which went into effect in November 1996. All workers in both the private sector and in the public sector, with the exceptions of the security and defences forces, are entitled to join a union. The law defines and protects the rights to organise and bargain collectively.

EI member organisation:
South African Democratic
Teachers' Union (SADTU)
Membership: 146,000

SWAZILAND - KINGDOM OF SWAZILAND

Population: 1,031,600

Population < 25:	65.9%	Life Expectancy at birth:	57.7m/62.3f
Illiteracy:	22%m/24.4%f	School Life Expectancy (years):	11.5m/10.8f
Net enrolment first level:	95%m/96%f	% of 1994 cohort reaching grade 5:	76%m/82%f
Primary Pupil Teacher Ratio:	33	Tertiary students per 100,000 inhabitants:	543
% of GNP spent on education:	8.1%	% of Govt. expenditure on education:	21.7%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: In the early 1990s about 180,300 children attended primary schools annually, and some 51,500 were enrolled in secondary schools. The Government does not provide free, compulsory education for children. The Government pays the teachers salary while student fees pay for books and the buildings' fund. Supplemental money must sometimes be raised for building upkeep, including teachers' housing. However, the country has a 99 percent primary school enrolment. The University of Swaziland is in Kwaluseni. The practice of self-censorship and the prohibition of political gatherings limit academic freedom.

CHILD LABOUR: The Employment Act of 1980 prohibits the hiring of a child below the age of 15 in an industrial undertaking, except in cases where only family members are employed by the firm, or in technical schools where children are working under the supervision of a teacher or other authorised person. Employment of children in the formal sector is not customary. However, children below the minimum age are frequently employed in the agricultural sector, particularly in the eastern cotton-growing region. Children are also employed as domestic workers and as herd boys in rural areas. The ILO reports that in 1995, 13.7 percent of children aged 10 to 14 were working.

TRADE UNION RIGHTS: The very restrictive 1996 Industrial Relations Act (IRA) permits workers, including those in the public sector, but excluding prison officers, to join unions. It limits union activity to nationally defined occupational concerns. The IRA confines unions and employer organisations to single industries and does not permit organisation across economic and industrial sectors, contrary to ILO Convention 87. In a response to a complaint by the ICFTU, the ILO Committee of Experts (COE) has noted to the Government discrepancies between the IRA and ILO Convention 87 on Freedom of Association and ILO Convention 98 on the right to Organise and Bargain Collectively.

The COE concerns include the powers accorded government officials to control union activity and the strictures on the ability of workers to form unions and associate with other unions at home and abroad. The Government acted to repress industrial action during 1997 including arresting the leaders of the Swaziland Federation of Trade Unions (SFTU), obtaining a court order banning the SFTU, and raiding SFTU headquarters without a warrant, and dispersing peaceful demonstrations with violence. Drafting of the new labour legislation in consultation with SFTU was completed at the beginning of 1997 but despite assurances the changes had still not been introduced into law by June 1998. The Government agreed in August to amend the IRA and formed in November 1997 a tripartite redrafting committee that included employers, labour officials, and an ILO adviser. A wage-based teachers' strike lasted six weeks in October and November 1997, during a key examination period. On 27 October there was a mass march of SFTU members, professional associations, parents and students. When the marchers went to the airport to meet the King and later Prince Charles, security forces used tear gas and live ammunition. EI affiliate, SNAT was banned from using the state media. Troops were used to supervise the examinations.

EI member organisation:
Swaziland National
Association of Teachers
(SNAT)
Membership: 6,800

TANZANIA - UNITED REPUBLIC OF TANZANIA

Population: 29,460,753

Population < 25:	63.6%	Life Expectancy at birth:	50m/52.8f
Illiteracy:	20.6%m/43.2%f	School Life Expectancy (years):	N/A
Net enrolment first level:	47.5%	% of 1994 cohort reaching grade 5:	81%m/86%f
Primary Pupil Teacher Ratio:	37	Tertiary students per 100,000 inhabitants:	43
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87	98 ✓	100	105	111	138	169

EDUCATION RIGHTS: The law provides for seven years of compulsory schooling to the age of 15, but not enough schools are available to accommodate all of the children, and only 50 percent of eligible children are enrolled. In January 1997 the Education Minister said that some teachers were demanding money to enrol students in school with the result that some children have been denied an education. The Warioba Commission confirmed that bribes may determine whether a child is eligible to register in school. In the early 1990s government schools were attended annually by some 3.5 million primary pupils and about 167,000 secondary students. In addition, many children attended private schools, which were mostly run by religious organisations.

Institutions of higher education enrolled about 5,300 students per year. Major schools included the University of Dar es Salaam and Sokoine University of Agriculture, in Morogoro. Academic freedom is largely respected in practice. Academics, increasingly outspoken in their criticism of the Government, stepped up their calls for reform in 1997.

CHILD LABOUR: The law prohibits children under the age of 12 from working in the formal wage sector in both urban and rural areas, and the Government enforces this prohibition. However, this provision does not apply to children working on family farms or herding domestic livestock. Children between the ages of 12 and 15 may be employed on a daily wage and on a day-to-day basis, but they must have parental permission and return to the residence of their guardian at night. The minimum age for work of a contractual nature in approved occupations is set at 15 years.

The law prohibits a young person from employment in any occupation that is injurious to health. Young persons between the ages of 12 and 15 employed in industrial work may only work between dawn and dusk. The number of inspectors to enforce these provisions is inadequate.

As many as 5,000 children are employed on sisal, tea, tobacco and coffee plantations. Work on sisal plantations is particularly hazardous and detrimental to children: there is a high incidence of skin and respiratory problems and the children are not provided with protective clothing. Another 1,500 to 3,000 children work in unregulated gemstone mines. In the informal sector, children assist their parents in unregulated piecework manufacturing. The ILO estimates that in 1995, 39.5 percent of children between the ages of 10 and 14 were working.

TRADE UNION RIGHTS: Workers do not have the right to form or join organisations of their choice. A 1991 Act created a single trade union organisation, now known as the Tanzania Federation of Trade Unions (TFTU). It is comprised of 11 independent trade unions. It has still not been formally registered. More than two years after the labour reorganisation, only one of the 11 unions, the Tanzanian Teachers' Union, is fully registered. In late 1996, the Zanzibar Government suspended the activities of the teachers' union in the autonomous islands of Zanzibar and stated that it did not recognise any trade union, even those officially registered. Workers have the legal right to strike only after complicated and protracted mediation and conciliation procedures. Collective bargaining is protected by law but limited to the private sector. The Government administratively sets wages for employees of the Government and state-owned organisation, which account for the bulk of the salaried labour force.

EI member organisations:
Chama cha Kitaalamu cha
Walimu cha Tanzania
(CHAKIWATA)
Membership: 40,018

Tanzania Teachers' Union
(TTU)
Membership: 90,000

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TOGO - REPUBLIC OF TOGO

Population: 4,735,610

Population < 25:	67	Life Expectancy at birth:	48.8m/51.5f
Illiteracy:	33%m/63%f	School Life Expectancy (years):	N/A
Net enrolment first level:	98%m/72%f	% of 1994 cohort reaching grade 5:	79%m/60%f
Primary Pupil Teacher Ratio:	51	Tertiary students per 100,000 inhabitants:	281
% of GNP spent on education:	5.6%	% of Govt. expenditure on education:	18.7%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓		✓	✓	

EDUCATION RIGHTS: Under the Constitution, school is compulsory for both sexes until the age of 15, but this requirement is not strictly enforced. In the early 1990s some 76 percent of all school-age children attended school. Families traditionally give boys priority over girls when deciding who shall attend school. Missionary schools remain important, educating about half the pupils. Approximately 7,700 students were enrolled in the late 1980s at the country's sole university at Lome, the University of Benin. Academic freedom is constrained by concern among professors about potential harassment by the Government or anti-opposition militants and the lack of a faculty-elected rector. Opposition student groups are intimidated by an informer system that has led in the past to government persecution.

CHILD LABOUR: In both urban and rural areas, particularly in farming and petty trading, very young children traditionally assist in their families' work. The law does not specifically address the question of forced or bonded labour performed by children, and children are sometimes subjected to forced labour, primarily as domestic servants. Young girls are used in private homes. Young children can be seen in the market carrying heavy loads and selling. Credible sources confirm the international trafficking of children, who are sold to other African countries, the Middle East or Asia, into various forms of indentured and exploitative servitude, which amounts at times to slavery. In rural areas, parents sometimes force young children into domestic work in other households in exchange for cash.

TRADE UNION RIGHTS: The Constitution provides most workers, including teachers, with the right to join unions and the right to strike. The Labour Code nominally provides workers with the right to organise and bargain collectively. All formal sector employees are covered by a collective bargaining agreement, however, the agreement is managed by the Government and sets wage standards for all formal sector employees.

EI member organisation:
Fédération des Syndicats de
l'Education Nationale (FESEN)
Membership: 7,781

TUNISIA - REPUBLIC OF TUNISIA

Population: 9,183,097

Population < 25:	N/A	Life Expectancy at birth:	68.4m/70.7f
Illiteracy:	21.4%m/45.4%f	School Life Expectancy (years):	N/A
Net enrolment first level:	98%m/95%f	% of 1994 cohort reaching grade 5:	92%m/93%f
Primary Pupil Teacher Ratio:	25	Tertiary students per 100,000 inhabitants:	1,253
% of GNP spent on education:	6.8%	% of Govt. expenditure on education:	17.4%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:

29	87	98	100	105	111	138	169
✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Education in Tunisia is free, and the Government reported that 98 percent of eligible primary school age children attended school in 1997. Secondary school enrolments for 1997 improved by eight percent in comparison with the previous scholastic year. In the early 1990s more than 68,000 students were enrolled in institutions of higher learning, primarily three divisions of the University of Tunis. University professors indicated that they sometimes practiced self-censorship by avoiding classroom criticism of the Government or statements supportive of the Islamist An-Nahda movement. Professors alleged that the Government utilised the threat of tax audits, control over university positions, and strict publishing rules to encourage self-censorship. The presence of police on campus also discouraged dissent. The Ministry of Education requires advance notice and approval of all public conferences.

CHILD LABOUR: The minimum age for employment in manufacturing is 16 years. The minimum age for light work in agriculture and some other non-industrial sectors is 13 years. Workers between the ages of 14 and 18 must have 12 hours of rest a day. Children between 14 and 16 may work no more than 2 hours a day. Nonetheless, young children often perform agricultural work in rural areas and work as vendors in urban areas, primarily during the summer vacation from school. Some child labour exists disguised as apprenticeships; particularly in the handcraft industry, and in cases of young girls whose families place them as household domestics in order to collect their wages.

TRADE UNION RIGHTS: The Constitution and the Labour Code stipulate the right of workers to form unions. Unions, including those representing civil servants, have the right to strike, but only with the prior approval of the national centre. During 1997, trade union leaders were arrested, detained or taken for questioning on a number of occasions after signing public appeals protesting at the increasing restrictions on civil liberties. The right to organise and bargain collectively is protected by law and observed in practice. In April 1998 EI Affiliate, SGEB, threatened strike action when the Government broke agreements that had previously been negotiated and ceased discussions with the union. Settlement between the two parties was reached and the strike threat withdrawn.

EI member organisations:
Syndicat Général
de l'Enseignement de Base
(SGEB)
Membership: 12,500

Syndicat Général
de l'Enseignement Supérieur
et de la Recherche
Scientifique (SGERS-UGTT)
Membership: 1,000

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UGANDA - REPUBLIC OF UGANDA

Population: 20,604, 874

Population < 25:	N/A	**Life Expectancy at birth:**	40.4m/42.3f
Illiteracy:	26.3%m/49.8%f	**School Life Expectancy (years):**	N/A
Net enrolment first level:	N/A	**% of 1994 cohort reaching grade 5:**	N/A
Primary Pupil Teacher Ratio:	35	**Tertiary students per 100,000 inhabitants:**	142
% of GNP spent on education:	N/A	**% of Govt. expenditure on education:**	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87	98 ✓	100	105 ✓	111	138	169

EDUCATION RIGHTS: About 55 percent of school-age children are in school. School fees have made it impossible for many parents - particularly poor farmers, the majority of the population - to provide their children with a full education. Parliament passed legislation to put into effect a campaign promise by President Museveni in 1996 to provide free education up to the seventh grade for a maximum of four children per family. This programme, called 'Universal Primary Education' (UPE), received preferential treatment in the central government budget, although strained finances, instability in some areas, and inability to rapidly expand educational personnel and infrastructure left the programme incompletely implemented at year's end. Although the UPE began to make education more accessible financially, parents still pay for books and uniforms. Implementation of the UPE caused financial problems for the country's large families. Girls and boys theoretically have equal access to education, and lower grades are about evenly divided by sex. The impact of UPE on female education is yet to be accounted.

Many schools use corporal punishment, although the Minister of Education in May 1997 banned the beating of secondary school students and called for the arrest of teachers who did not comply. In one case, a teacher was detained for allegedly beating to death a 15-year-old pupil at a school in Masaka district. The cases of a Mpigi teacher charged with beating an eight-year-old child to death and the Bulegna headmaster charged with beating a 17-year-old girl to death remained unresolved at year's end.

A considerable degree of academic freedom exists at the two public and five private universities, with no government interference in teaching, research, or publication. Students and faculty have sponsored wide-raging political debates in open forums on campus. At the same time, some limits were evident. Makerere University, the most important institution of higher education, cautioned a staff member about remarks which he had made that were critical of the university chancellor, President Museveni.

CHILD LABOUR: Current estimates suggest that there are 1.3 million orphaned children in Uganda, the results from previous civil wars, internal displacement of persons, and AIDS. The conduct of two rebel groups in regard to children is also a serious problem. The Allied Democratic Forces rebel group abducted a number of students in the west of the country, and the whereabouts of these abductees remain unknown. The Lord's Resistance Army (LRA) abducted hundreds of school-age children, reportedly for indoctrination in Sudan as LRA guerrillas, for sale as slaves in Sudan, or for sexual purposes, as enforced concubines. An Amnesty International report in September 1997 concluded that without abductions of children that the LRA would have few combatants. A Human Rights Watch group suggested that between 3,000 and 5,000 children remain under the control of the LRA.

The law prohibits the hiring of children as workers below the age of 18, but child labour is widespread. Most working children are employed in the informal sector, often on subsistence farms or as domestic servants. Smuggling, one of the nation's larger informal industries, illegally employs large numbers of child labourers at the borders with Kenya and Tanzania.

The ILO estimates that in 1995, 45.3 percent of children aged between 10 and 14 were working.

TRADE UNION RIGHTS: Since 1993 Government has extended the right to join associations or trade unions to civil servants, however, they will not ratify Convention 87. School principals, are among those classified as 'essential' government employees and they are not permitted to form unions. The Constitution confirms the right to strike after 'every effort' to resolve a dispute has been exhausted. The procedures are complicated. There were 13 major strikes during 1997, including university staff, and shorter informal strikes by other groups, including teachers; largelv over unpaid salary. The law provides for the right to organise and bargain collectively, but unions experience them as archaic and overdue for reform. In the state service the Government dominates the bargaining process. Concerns have been expressed at what appears to be the downgrading of the Labour Department.

EI member organisations:
Uganda Teachers' Association (UTA)
Membership: 35,000

Uganda Teachers' Union (UTU)
Membership: 15,000

ZAMBIA - REPUBLIC OF ZAMBIA

Population: 9,349,975

Population < 25:	65.8%	**Life Expectancy at birth:**	42.2m/43.7f
Illiteracy:	14.4%m/28.7%f	**School Life Expectancy (years):**	7.9m/6.8f
Net enrolment first level:	76%m/75%f	**% of 1994 cohort reaching grade 5:**	87%m/80%f
Primary Pupil Teacher Ratio:	39	**Tertiary students per 100,000 inhabitants:**	241
% of GNP spent on education:	1.8%	**% of Govt. expenditure on education:**	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: About 1.5 million pupils are enrolled in primary schools. In the late 1980s about 161,300 pupils were enrolled in secondary schools; vocational and teacher-training schools had 8,000 students; and the University of Zambia, at Lusaka, had about 7,400 students. All undergraduates and a few professional programme classes at the University of Zambia were cancelled starting in November 1996 following a stone-throwing incident. Although the university senate took this action, public statements by the Minister of Education led most observers to believe that it did so at the behest of the Government. The motivation for the closure was a combination of political, administrative and financial problems at the university. The university reopened in October 1997.

CHILD LABOUR: The legal minimum age for employment of children is 16 years. The Labour Commissioner effectively enforces this law in the formal sector, where because of high adult unemployment, there are no jobs available to children. The law is not enforced, however, for those who work in subsistence farming, domestic service, and informal sectors, where children under age 16 are often employed. In urban areas children commonly engage in street vending.

TRADE UNION RIGHTS: The Constitution provides for the right of workers to form trade unions. The 1993 Industrial and Labour Relations Act (ILRA) re-established the 'one industry, one union' principle. In November 1993, the Ndola High Court ordered the Government to register the Secondary School Teachers Union of Zambia. The Government continues to argue that the Zambia National Union of Teachers represents secondary school teachers and has administratively delayed recognition of the new secondary teachers union. All workers have the right to strike, except those engaged in essential services. The ILRA provides for the right to organise and bargain collectively. Civil servants and teachers, negotiate directly with the Government. However, in January 1998 the Government unilaterally declared a wage freeze for all government workers, 50 percent of whom are teachers. EI affiliate, ZNUT, with other members of the Zambia Congress of Trade Unions, gave notice of industrial action to take place in March. The Government reacted by threatening to de-register any union that takes part.

EI member organisation:
Zambia National Union of
Teachers (ZNUT)
Membership: 48,000

ZIMBABWE - REPUBLIC OF ZIMBABWE

Population: 11,423,175

Population < 25:	67.2%	Life Expectancy at birth:	47.6m/49.4f
Illiteracy:	9.6%m/20.1%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	76%
Primary Pupil Teacher Ratio:	39	Tertiary students per 100,000 inhabitants:	679
% of GNP spent on education:	8.5%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
				✓				

EDUCATION RIGHTS: While there is no compulsory education in Zimbabwe the overall primary school attendance has increased by more than 400 percent since independence, and about 93 percent of children reach grade five. About 2.4 million students are enrolled annually in primary schools and 657,000 in secondary schools. With the reintroduction of school fees in urban schools and rural secondary schools, enrolment has declined. If a family is unable to pay tuition costs, it is most often female children who leave school.

Higher education institutions include a number of teachers' colleges and several agricultural and technical schools, with a combined enrolment of 52,000 students. The University of Zimbabwe, at Harare, has 9,100 students. The University of Zimbabwe (UZ) Amendment Act and the National Council for Higher Education Act curtail academic freedom by restricting the independence of universities, making them subject to government influence, and extending the disciplinary powers of the university authorities against staff and students. After protesting government delays in disbursement of the subsidies, UZ students were victims of teargas and arrest; they were subsequently released.

CHILD LABOUR: Legislation passed in March 1997 bans employment of children under the age of 12 and restricts employment and hours of work of those between the ages of 12 and 17 to light work during school holidays. All hazardous employment, overtime and night shift work is banned for those under the age of 18. Child labour in the formal agricultural sector, such as on tea and coffee plantations, reportedly involves children working in the fields after school during the planting and harvesting seasons and full-time during school holidays. Anecdotal evidence suggests some school schedules and calendars are tailored to allow children to work in the fields during busy farming periods. There are an estimated 12,000 homeless street children in Zimbabwe, many of them the children of former Mozambican refugees or AIDS orphans. The ILO estimates that in 1995, 29.4 percent of children aged between 10 and 14 were working.

TRADE UNION RIGHTS: The 1985 Labour Relations Act (LRA) provides private sector workers with freedom of association, and the freedom to form or join unions. The provisions of the LRA do not cover public servants and their associations, including the Zimbabwe Teachers Association (ZIMTA). Instead, their conditions of employment are provided for under the Constitution. Although barred from forming unions, in 1995 ZIMTA stated its intention to affiliate with the Zimbabwe Congress of Trade Unions and the Public Service Association. All public servants are deemed essential and are prohibited from striking. Nonetheless, a nationwide, civil servant strike took place in 1996. Although the Government declared the strike illegal, arrested worker representatives, and ordered wholesale dismissals, many were ultimately rehired. Public service wage increases above the 1997 inflation rate preempted a repeat of the 1996 strike, but they helped set the stage for a series of private sector wage negotiation strikes that were popularly described as the 'winter of discontent.' The Salary Service Department, subject to the approval of an independent Public Service Commission determines public sector wages. The Minister is not required by law to accept the recommendations of this procedure.

The Zimbabwean economy is in serious trouble. Discontent became widespread towards the end of 1997 when the Government proposed to pay for pensions to veterans of the independence struggle by a five percent levy on workers, and increase in sales taxes, including those on petrol.

A nationwide strike was called for 9 December and strongly supported after the Government refused to negotiate. When the Government offered only cosmetic changes following the first strike, a second two-day strike was called. The Secretary General of the Zimbabwe Council of Trade Unions was seriously assaulted in his office after the two-day strike. The situation remains volatile.

EI member organisations:
Zimbabwe Educational Scientific and Cultural Workers Union (ZESSCWU)
Membership: 6,000

Zimbabwe Teachers' Association (ZIMTA)
Membership: 48,000

Zimbabwe Teachers' Union (ZITU)
Membership: 13,000

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ASIA & PACIFIC

AUSTRALIA - THE COMMONWEALTH OF AUSTRALIA

Population: 18,438, 824

Population < 25:	38.1%	Life Expectancy at birth:	75.4m 81.2f (for Aborigines and Torres Strait Islanders - under 60)
Illiteracy:	Negligible	School Life Expectancy (years):	16.3m 16.1f
Net enrolment first level:	98%	**% of 1994 cohort reaching grade 5:**	99%
Primary Pupil Teacher Ratio:	16	**Tertiary students per 100,000 inhabitants:**	5,401
% of GNP spent on education:	5.6%	**% of Govt. expenditure on education:**	13.6%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Education is primarily the responsibility of the individual states. Education is compulsory between the ages of six and 15 in all states except Tasmania, where the upper age is 16. Most children start their schooling at the age of five. State schools provide free secular education; students may attend religious classes offered by the clergy of various denominations. About 72 percent of students attend state schools. Private schools are usually denominational and charge tuition fees. The majority of private schools are Roman Catholic. Most children transfer from the primary to the secondary level at the age of twelve. Secondary schools and junior technical schools, provide five- or six-year courses that enable students to prepare for state examinations for university entrance. Australia has nearly 10,000 primary and secondary schools, with an annual enrolment of 1.6 million primary pupils and 1.3 million secondary students. Australia has 38 universities, and a large number of colleges offering advanced education in specific subject areas. Their combined annual enrolment is approximately 535,000. Statistics indicate that only 22.5 percent of indigenous Aborigine children complete secondary education compared with 76.2 percent for others. The participation rate in university education for Aborigines is 2.4 percent (up from 1.8 percent in 1991) compared with 2.7 percent for non-Aborigines.

CHILD LABOUR: There is no nationally set minimum age of employment, but state-imposed compulsory educational requirements, monitored and enforced by state educational authorities, effectively prevent children from joining the work force full-time until they are 15 or 16 years of age.

Federal and state governments monitor and enforce a network of laws, which vary from state to state, governing minimum school-leaving age, and minimum age to engage in specified occupations. There is known to be some child labour, particularly in agriculture and in family enterprises.

TRADE UNION RIGHTS: About 32 percent of all Australian workers are unionised. The Workplace Relations Act came into effect 1 January 1997. The Act represented a serious attack on trade union rights. The Act was designed to replace the existing system of wage-fixing and collective bargaining with workplace-based agreements. It gave individual representation and individual agreements primacy over collective representation and collective agreements. It also placed union and non-union agreements on an equal footing. The Act limited industry-wide collective agreements or awards to a basic set of conditions, and made it harder to achieve federal award coverage. It made signed individual agreements, called Australian Workplace Agreements, secret making it difficult for them to be checked for breaches of minimum wages and working conditions. The scope for legal strikes was narrowed and penalties for breaking the law were increased. In 1997 and in 1998, complaints were lodged with the ILO.

In its 1998 report, the ILO Committee of Experts on the Application of Conventions and Recommendations found, among other things, that the Workplace Relations Act was in breach of Article 4 of ILO Convention 98 on the Right to Organise and Bargain Collectively, 1949.

Principals, teachers and education support staff have been the focus of particular attacks on unions and collective contracts by the states of Victoria and Western Australia.

EI member organisations:
Australia Education Union (AEU)
Membership: 164,343

National Tertiary Education Union (NTEU)
Membership: 24,567

Independent Education Union of Australia (IEU)
Membership: 38,000

BANGLADESH - PEOPLE'S REPUBLIC OF BANGLADESH

Population: 125, 340,261

Population < 25:	72.6%	Life Expectancy at birth:	58.1m/58.2f
Illiteracy:	50.6%m/73.9%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	2.3%	% of Govt. expenditure on education:	8.7%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: The Government made universal primary education between the ages of six and 10 years compulsory in 1996 but stated that it could not fully implement the law because of a lack of resources. The Government has initiated programmes that offer incentives for female children between the ages of 12 and 16 to remain in school. According to Education Ministry figures, approximately 86 percent of the children between the ages of five and 10 years are enrolled in school, including 84 percent of girls. The country has more than 45,000 primary schools and more than 10,000 secondary schools.

CHILD LABOUR: According to a 1996 survey Bangladesh has 6.3 million working children between the ages of five and 14 years. UNICEF and ILO reports indicate that of children six to 17 years of age, 21 percent of boys and four percent of girls are working in paid employment - children are commonly seen driving rickshaws, breaking bricks at construction sites, carrying market produce for shoppers. In the shrimp industry they can be found as peelers, packers and beachcombers. The majority of child workers perform unpaid, working alongside other family members in small-scale and subsistence agriculture. Reports from human rights monitors indicate that child abandonment, kidnapping and trafficking for labour bondage and prostitution are also serious and widespread problems. UNICEF has estimated that there are about 10,000 child prostitutes in Bangladesh. There is extensive trafficking in children, primarily to the Middle East, India, Pakistan and South East Asia, and also within Bangladesh, mainly for the purposes of prostitution and labour servitude. Children are also used as camel jockeys, a cruel and dangerous 'sport' popular on the Arabian Peninsula. Few perpetrators are ever punished. The Constitution prohibits forced or compulsory labour but the laws are not rigorously enforced. Some domestic servants, including many children, suffer physical abuse, sometimes resulting in death.

Protracted negotiations led in July 1995 to the signing of a Memorandum of Understanding (MOU) between the garment manufacturers and UNICEF and the ILO to eliminate child labour in the export garment sector. Under the MOU, the garment sector was to become child labour free by 31 October 1996, with former child labourers enrolled in UNICEF-run schools, and follow-up inspections of factories by ILO inspection teams. The children receive a small monthly stipend while attending school to help replace their lost income. Under the MOU, more than 8,000 children were enrolled in over 300 UNICEF schools during 1997. The scheme has produced a significant reduction in child workers in the garment sector. ILO inspections have consistently found more than 80 percent of the factories in the scheme child labour free.

TRADE UNION RIGHTS: Approximately 1.6 million members of the country's total work force of about 45 million workers belong to unions. Civil servants are forbidden to join unions. Consequently, teachers have formed associations that perform functions similar to labour unions, namely, providing for members' welfare, offering legal services, and airing grievances. Collective bargaining, however, is prohibited. Public sector workers' pay levels and other benefits are determined by the National Pay and Wages Commission. The Commission's recommendations are binding and may not be disputed except on the issue of implementation.

EI member organisations:
Bangladesh Teachers' Association (BTA)
Membership: 65,000

Bangladesh Teachers' Federation (BTF)
Membership: 165,000

National Federation of Teachers' Associations (NFTA)
Membership: 77,536

BRUNEI - STATE OF BRUNEI DARUSSALAM

Population: 307,616

Population < 25:	60.8%	Life Expectancy at birth:	73.4m/78.1f
Illiteracy:	7.4%m/16.6%f	School Life Expectancy (years):	11.8m/12.1f
Net enrolment first level:	91%	% of 1994 cohort reaching grade 5:	95%
Primary Pupil Teacher Ratio:	15	Tertiary students per 100,000 inhabitants:	514
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓
Brunei is not a member of the ILO.

EDUCATION RIGHTS: Educational services are relatively well developed and are largely financed from revenues from petroleum production. Education is free up to the highest level at local and overseas universities, with primary and secondary education provided in Malay, English or Chinese. The University of Brunei Darussalam, in the capital, Bandar Seri Begawan, has about 900 students. The number of female university students in the Sultanate is increasing, and nearly two-thirds of Brunei University's entering class is female.

CHILD LABOUR: The law prohibits employment of children below the age of 16. Parental consent and approval by the Labour Commission is required for those below the age of 18. Female minors under the age of 18 may not work at night or on off shore oil platforms.

TRADE UNION RIGHTS: Trade unions are legal in Brunei but must be registered with the Government. There are three registered trade unions, all of them in the oil sector, and with a total membership amounting to less than five percent of that industry's workforce. All workers, including civil servants may form or join trade unions.

EI member organisations:
Brunei Malay Teachers' Association (BMTA)
Membership: 1,020

Persatiam Pendidik Nasional Brunei (PPN)
Membership: 400

CHINA - HONG KONG (XIANGGANG) - SPECIAL ADMINISTRATIV

REGION OF THE PEOPLE'S REPUBLIC OF CHINA

Population: 6,400,00

Population < 25:	34.6%	**Life Expectancy at birth:**	N/A (Unofficial 78.6)
Illiteracy:	4%m/11.8%f (China: 10.1%m/27.3%f)	**School Life Expectancy (years):**	12.6
Net enrolment first level:	90%m/92%f	**% of 1994 cohort reaching grade 5:**	100%
Primary Pupil Teacher Ratio:	24	**Tertiary students per 100,000 inhabitants:**	1,635
% of GNP spent on education:	2.8%	**% of Govt. expenditure on education:**	17%

Ratification of UN Convention on Rights of the Child: ✓

The Government of the People's Republic of China communicated to the Director-General of the ILO that 46 ILO Conventions would continue to be applied to the Hong Kong Special Administrative Region from 1 July 1997, the effective date of the resumption of China's sovereignty. The Conventions include:

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓		✓			

NB: China itself ratified Convention 100 (Equal Remuneration) in 1990. It is not known whether the Convention automatically applies to Hong Kong. The People's Republic of China has not ratified any of the other fundamental Conventions listed.

EDUCATION RIGHTS: Education is free and compulsory for all children from the ages of six to 15, and adult literacy is over 90 percent. Only a small percentage of high school graduates attend college or university on a full-time basis, however. There are seven colleges and universities, including two polytechnic schools. The oldest and largest institution of higher learning is the University of Hong Kong, with more than 10,000 students. There are more than a dozen technical institutes, technical colleges and teacher training colleges. The Hong Kong Academy of Performing Arts offers courses in dance, music, theatre and technical arts.

CHILD LABOUR: The Employment of Children Regulations prohibit employment of children under the age of 15 in any industrial establishment. Children 13 and 14 years of age may be employed in certain non-industrial establishments, subject to conditions aimed at ensuring a minimum of nine years education and protecting their safety, health and welfare. In 1996 the Labour Department conducted 115,877 inspections of industrial work places and 33,892 inspections of non-industrial work places and uncovered only five and 11 cases, respectively, of child employment.

TRADE UNION RIGHTS: With the exception of minor changes, Hong Kong labour law has remained the same as it was in the years before the hand over from the United Kingdom to China. It does not adequately protect trade union rights. There are no collective bargaining or trade union recognition rights in Hong Kong. Neither the previous nor the current administration has ever engaged in collective bargaining with civil servant unions. At most, they have been consulted. Legislation to protect collective bargaining and other trade union rights, passed just before the hand over of Hong Kong to China, was immediately suspended by the new administration. EI protested at the suspension.

The law provides for freedom of association and for the right of workers to establish and join organisations of their own choosing. Trade unions must be registered under the Trade Unions Ordinance. The basic pre-condition for registration is a minimum of seven persons who serve in the same occupation. By the end of 1996, there were 552 trade unions and over 22 percent of Hong Kong's 3.1 million salaried employees and wage earners belonged to a trade union. The right to strike is not protected in law. There is some restriction on the right for civil servants to strike or stop work. In practice, most workers must sign employment contracts that typically state that walking off the job is a breach of contract and can lead to summary dismissal.

In July 1996, to support EI's Hong Kong affiliates as they prepared for the hand-over, EI and the Hong Kong Professional Teachers' Union (HKPTU) organised an international conference entitled Civic Education towards the 21st Century. Participating affiliates pledged solidarity with the HKPTU and all Hong Kong teachers and education workers in their struggles for trade union rights and democracy.

EI member organisations:
Hong Kong Teachers' Association (HKTA)
Membership: 1,800

Hong Kong Professional Teachers' Union (HKPTU)
Membership: 60,674

COOK ISLANDS - Population: 19, 776 (a further 28,000 reside in New Zealand)

The **Cook Islands** is a self-governing state in free association with **New Zealand**. **New Zealand** retains responsibility for defence and foreign affairs. **Cook Islanders** are also New Zealand citizens.

Population < 25:	41.9%	Life Expectancy at birth:	67m/73f (1980s figures)
Illiteracy:	15-24 - 2.5%m/1.2%f 25> 4.7m /5.7f	School Life Expectancy (years):	10.7%
Net enrolment first level:	99%	% of 1994 cohort reaching grade 5:	5.84%
Primary Pupil Teacher Ratio:	14	Tertiary students per 100,000 inhabitants:	4093
% of GNP spent on education:	2.69%	% of Govt. expenditure on education:	14.4%

The **Cook Islands** is not itself a member of either the UN or the ILO - see head note on Cook Islands political relationship with **New Zealand.**

EDUCATION RIGHTS: Education is free and compulsory for children from ages six to 15. There are 28 primary schools throughout the southern islands and on six of the northern atolls. There are seven secondary schools, with secondary school education available on all the inhabited islands in the southern group. The New Zealand Government offers Cook Island scholarships for secondary and tertiary education and career training programmes in New Zealand. As a result many Cook Islanders leave the islands to be educated. The University of the South Pacific, based in Suva, Fiji, has a small extension centre in Avarua, on Rarotonga.

CHILD LABOUR: The Industrial and Labour Ordinance of 1964 prohibits employment of any child under 16 years of age in any factory, unless a certificate stating that the boy or girl is fit for the employment has been obtained from the Industrial relations Officer. Those under 18 years old are prohibited from working in any "dangerous occupation". The Industrial Relations Officer has the power to determine that an occupation is dangerous.

TRADE UNION RIGHTS: Freedom of association and the right to collective bargaining are recognised in law. However, a financial crisis, largely 'self made' out of government negligence in economic policies, gave rise to an erosion of workers rights. Thanks to unswerving support and commitment of teachers and public service workers the umbrella union, the Cook Islands Workers Association, has opposed Government imposed pay cuts.

EI member organisation:
Cook Islands Teachers' Institute (CITI)
Membership: 222

FIJI - REPUBLIC OF FIJI

Population: 792, 441

Population < 25:	55.03%	Life Expectancy at birth:	70.6m/74.9f
Illiteracy:	6.2%m/10.7%f	School Life Expectancy (years):	12.5%
Net enrolment first level:	99%m/100%f	% of 1994 cohort reaching grade 5:	88%m/84%f
Primary Pupil Teacher Ratio:	28	Tertiary students per 100,000 inhabitants:	1,076
% of GNP spent on education:	5.4%	% of Govt. expenditure on education:	18.6%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓		✓			

EDUCATION RIGHTS: Education is not yet compulsory in Fiji. Almost all children start primary school. The State provides free education for eight years, funding 693 primary schools and 142 secondary schools. Tuition is charged for levels nine to 12, but some financial assistance is available. About 60% of 15 year olds attend school. Class sizes have reached 50 in some schools and there is inadequate funding to build the necessary number of classrooms in all rural areas. The University of the South Pacific, the Fiji School of Medicine and a number of vocational schools are located in Suva.

CHILD LABOUR: Child labour has increased over the past decade despite the law prohibiting employment of anyone under 12 in any capacity and under the age of 17 to work in industry or with machinery. The Fijian Teachers Association (FTA) and the Fijian Teachers Union (FTU) identify poverty, curtailment of trade union rights as part of a low wage-export growth strategy, and large class sizes as the crucial factors in the growth of child labour. Estimates based on school attendance and dropout rates suggest between 20,000 and 30,000 children are engaged in labour, mostly in the informal sector, in family businesses and on family farms.

TRADE UNION RIGHTS: Trade Union rights were severely curtailed with the issuing of draconian anti-union decrees following the military coup in 1987. The decrees were designed to create a cheap labour force attractive to foreign investment, and to destroy the strong tradition of labour unions in Fiji organising across barriers of race. The decrees did considerable damage but were never fully implemented because of collective union action within Fiji supported by pressure from the international trade union movement and the ILO. The trade union movement, including the FTU and the FTA, has actively supported the multi-party negotiations for a new, non-racial Constitution that was adopted in 1997. The new Constitution incorporates basic human and trade union rights. By the end of 1997 the FTA, FTU and other public service unions had successfully negotiated a three-year contract. The FTA and FTU were leading organisations in the Fiji Trade Union Congress national protests in April and June 1998, which focused on industrial, social and economic issues.

EI member organisations:
Fijian Teachers Association (FTA)
Membership: 3,400

Fijian Teachers Union (FTU)
Membership: 3,000

INDIA - REPUBLIC OF INDIA

Population: 967,612,804

Population < 25:	57.8%	Life Expectancy at birth:	62.1m/62.7f
Illiteracy:	34.5%m/62.3%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	65%m/59%f
Primary Pupil Teacher Ratio:	63	Tertiary students per 100,000 inhabitants:	601
% of GNP spent on education:	3.5%	% of Govt. expenditure on education:	10.2%12.1%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓			✓		✓		

EDUCATION RIGHTS: Primary school education is not free, compulsory or universal. Of a primary school-age population (between the ages of five and 14) of approximately 205 million, about 120 million children attend school. According to a UNDP study conducted in 1993 the dropout rate from primary school is 34 percent. The gap between male and female education is wide. The school systems of the various states are under the direct control of the state governments, and the federal Ministry of Education assists the state systems, provides financial help for the nation's institutions of higher learning and discharges various other responsibilities. The predominant pattern of schooling in India includes ten years of primary and lower secondary school, two years of higher secondary with a distinct vocational emphasis, and three years of university education leading to a degree. The problem of educating the vast population, with its many social and religious complexities has remained difficult - the relics of the ancient caste system, inadequate vocational placement, and religious diversity have contributed to the difficulty of reform. There are about 180 universities and about 8000 technical, arts and science colleges with a combined yearly enrolment of about 4.6 million.

CHILD LABOUR: Estimates of the number of child labourers in India range widely. The Government estimated in 1990 that there were 22 million child workers. The Government established Commission on Labour Standards found the number of child labourers in 1993 to be 25 million and growing at four per cent per year. The ILO estimates the number at 44 million. In fact, 12.6 million children in the age group five to 14 are known to be in full time employment, and the status of 74 million children is unknown, although they are not enrolled in school. Most of the 87 million children not in school do housework, work on family farms, work along side their parents as paid agricultural labour, work as domestic servants, or are employed in industries which utilise child labour such as hand-knotted carpets, gemstone polishing, brass and brass metal articles, glass and glassware, footwear, textiles, silk and fireworks. Perhaps half of India's child labourers are engaged in dangerous work activities.

Although bonded labour is prohibited the Government does not enforce the prohibition effectively. In the carpet industry alone, human rights organisations estimate that there may be as many as 300,000 children working, many of them in conditions that amount to bonded labour. There are an estimated 500,000 street children.

Child prostitution is occurring in the cities and there is a growing pattern of traffic in child prostitutes from Nepal. According to one estimate 5,000 to 7,000 children, mostly between the ages of 10 and 18, are victims of this traffic annually. The continuing prevalence of child labour may be attributed to the social acceptance of the practice and the failure of state governments to make primary schools compulsory. The enforcement of child labour laws is also the responsibility of the state governments. Enforcement is inadequate, especially in the informal sector where most children who work are employed. Successive central governments have set out comprehensive plans to eliminate child labour from hazardous industries by the year 2000, and from all industries by 2010. This programme includes enhanced enforcement of child labour laws, income supplements for families, subsidised school lunches, and a public awareness campaign. Recognising a need to ensure that primary education is made universal and compulsory by state governments, the Government has committed itself to making primary education a fundamental constitutional right, not merely a directive principle.

Kerala is one State in India which, despite being an economically poor area, has nonetheless succeeded in massively reducing child labour. Kerala has invested heavily and consistently in education and has the highest school retention rate in India.

TRADE UNION RIGHTS: The right to freedom of association is guaranteed in the Constitution. In general trade union rights are respected in the formal sector. Outside the formal sector, laws are not enforced and collective bargaining does not exist. Some 15 to 20 percent of the

El member organisations:
All India Federation of Educational Associations (AIFEA)
Membership: 127,800

All India Federation of Teachers' Organisations (AIFTO)
Membership: 1,600,000

All India Primary Teachers' Federation (AIPTF)
Membership: 2,000,000

All India Secondary Teachers' Federation (AISTF)
Membership: 1,200,000

approximately 28 million people employed in the formal sector belong to unions. The total workforce has been estimated at more than 376 million. Trade unions often exercise the right to strike, but public sector unions are required to give at least 16 days' notice prior to striking. Collective bargaining is the normal means of setting wages and settling disputes in the unionised sector of the economy.

In May 1998, primary teachers in West Bengal took strike action and hunger strike action in protest at the state government's decision to stop pension payments and other negotiated benefits.

INDONESIA - REPUBLIC OF INDONESIA

Population: 209,774,138

Population < 25:	40.9%	Life Expectancy at birth:	63.3m/67f
Illiteracy:	10.4%m/22%f	School Life Expectancy (years):	10.4m/9.5f
Net enrolment first level:	99%m/95%f	% of 1994 cohort reaching grade 5:	96%m/81%f
Primary Pupil Teacher Ratio:	23	Tertiary students per 100,000 inhabitants:	1,146
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87	98 ✓	100 ✓	105	111	138	169

EDUCATION RIGHTS: Although primary school is in principle universal in Indonesia, UNICEF estimates that more than one million children drop out of primary school every year due mainly to the costs associated with education and the need for the children to supplement family income. A 1994 law raised compulsory education from six to nine years, but, even before the 1997-98 economic crisis, the law had not been fully implemented due to inadequate school facilities and the lack of family financial resources to support children staying in school. Official and unofficial fees for public education, including payments for registration, books, meals transport and uniforms have risen to prohibitively high levels for many families. The school system is patterned after that of the Netherlands, with secondary school curricula divided into mathematics, languages and economics. About 29.6 million Indonesian children attend primary schools, and more than 9.4 million students are enrolled in general secondary schools. In addition, more than 1.4 million Indonesian students attend vocational institutes. Indonesia's institutes of higher education are attended by nearly 2 million students a year.

The financial and economic crisis that hit Asia late 1997 had begun by June 1998 to have a very adverse effect on school attendance in Indonesia. Poor families could not afford to keep their children in school and many middle-class families were having to withdraw their young people from tertiary education in Indonesia and abroad.

CHILD LABOUR: According to government statistics 2.08 million children between the ages of 10 and 14 work. Half go to school and also work, and half only work. Unofficial estimates of working children are much higher because documents verifying age are easily falsified and because children under 10 are not included. According to the Ministry of Social Affairs, 20,000 street children live in Jakarta, and thousands more in other cities. They sell newspapers, shine shoes, help to park or watch cars, and otherwise attempt to earn money. Many children work under hazardous conditions as scavengers and garbage pickers and on fishing platforms off the east coast of North Sumatra. Many thousands work in factories and fields. Children also work in the rattan and wooden furniture industries, the garment industry, the footwear industry, food processing and toy making, among others. Children working in factories usually work the same number of hours as adults.

The new manpower law, which takes effect on 1 October 1998, prohibits employers from hiring children under the age of 15, except that employers may hire children who are forced for economic reasons to work. It also states that adolescents cannot work during certain hours of the night, below ground, in mines, or in jobs that would have an adverse effect on morality, such as entertainment facilities.

TRADE UNION RIGHTS: Civil servants are not permitted to join unions and must belong to KORPRI a non-union association whose Central Development Council is chaired by the Minister of Home Affairs. Teachers must belong to the Teachers' Association (PGRI). While technically classed as a union, the PGRI continues to function more as a welfare organisation and plays an important role in the management of the education system but does not appear to have engaged in trade union activities such as collective bargaining. Mandatory KORPRI and PGRI contributions are deducted automatically from teachers' salaries. The sole officially recognised aggregate of trade unions is the All-Indonesia Union of Workers (FSPSI), founded in 1973. The Suharto Government viewed industrial relations as a security issue and justified its control of the FSPSI by the need to maintain law and order. Retired military leaders hold leadership positions in FSPSI and its affiliated unions' regional and district branches. This was justified by the official ideology of 'dual functioning' which gives the military a role in the social and economic development of the country, in addition to defence. The authorities have also said that working people do not have the necessary edcuation, leadership experience or expertise. Trade union organsiations outside the FSPSI have been subject to systematic repression.

El member organisation:
Teachers' Association of the
Republic of Indonesia (PGRI)
Membership: 1,300,000

The collapse of the economy at the end of 1997 and the first half of 1998, led to widespread unrest and rioting, student demonstrations (in which six students were killed by police) and the resignation of President Suharto. The new Government has freed some political prisoners, including independent union leader Muchtar Pakpahan. The new Government has also stated that it will ratify Convention 87 and allow other unions to form and operate.

JAPAN - Population: 125, 716, 637

Population < 25:	32.1%	Life Expectancy at birth:	76.9m /82.9f
Illiteracy:	Negligible	School Life Expectancy (years):	14.2m/13.8f
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	100%
Primary Pupil Teacher Ratio:	18	Tertiary students per 100,000 inhabitants:	3,139
% of GNP spent on education:	3.8%	% of Govt. expenditure on education:	10.8%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓				

EDUCATION RIGHTS: Japanese society places an extremely high value on education, which is compulsory through the lower secondary level. Enrolment levels for both boys and girls until the end of the free and universally available upper secondary level (age 18) exceed 95 percent. Education is centralised under the Ministry of Education. The school system operates under the Fundamental Law of Education of 1947 and subsequent legislation, and enables all students to compete for admission to institutions of higher education. Japan has about 24,700 primary schools, attended by 8.9 million students annually. Another 5 million students attend 11,300 junior high schools and 5.2 million are enrolled in 5,500 high schools. Primary school teachers number 440,800, lower secondary teachers 282,700, and upper secondary school teachers 284,400. Technical, commercial and vocational schools are also maintained, as are schools for the physically disabled. Japan has about 60 national universities and many private universities with a combined annual enrolment of nearly 2.9 million students.

Almost all of the 50,000 Indigenous People of Japan, the Ainu, live on the northern island of Hokkaido. Under a 1899 law the Government pursued a policy of forced assimilation, imposing mandatory Japanese education on the Ainu. In May 1997 the Diet passed a law officially recognising the Ainu as an ethnic minority. The new legislation cancelled a series of previous laws against the Ainu including the 1899 law. EI affiliate JTU was amongst the organisations that supported the Ainu campaign.

Under the School Education Law, students attending Chinese, Korean and other non-Japanese schools are not eligible to take national university examinations. In December 1997 Nagano University declared that it had mistakenly admitted and subsequently awarded degrees to four ethnic Chinese students who had studied at a Chinese school. Although the University did not invalidate the degrees already awarded, it announced that it would accept no more students from that high school. Also in December, the Ministry of Education, claiming that non-Japanese students are not treated unfairly, rejected the petition of a Korean residents advocacy group containing over 1,300 signatures, which asked that the national universities be allowed to accept non-Japanese school graduates.

In recent years, the problem of severe bullying, or 'ijime', has received greater public attention. At primary and lower secondary schools, bullying most often involves verbal abuse, with physical abuse occurring more often at the high school level. Education experts suggest that pressures at home and school to excel academically may be contributing to the increase in student violence and long term absenteeism. According to the Ministry report, there are cases in which students intentionally attacked teachers knowing that the teachers were prohibited by law from retaliating. The Office of the Ombudsman provides counselling services for children 18 years of age and younger who have been victims of bullying. Because of the prevalence of bullying some students are allowed to study at home, with teachers visiting them at home. JTU has been advocating for education reform in Japan to focus on the needs of the whole child rather than on academic achievement alone.

CHILD LABOUR: By law, children under the age of 15 may not be employed at all and those under age 18 may not be employed in dangerous or harmful jobs. The Labour Inspection Division of the Ministry of Labour rigorously enforces child labour laws. Sex with those under 13 years of age is prohibited, but consensual sex with a 13-year-old is not prosecutable under the Criminal Code. Currently, laws regarding prostitution with minors over 13 years of age are covered only by prefectural government ordinances. Under the present Prostitution Prevention Law, selling the sexual services of children is illegal, but purchasing those services is not.

TRADE UNION RIGHTS: Almost 12.3 million workers, 22.6 percent of all employees belong to trade unions. Public employees in national and local government, including teachers, do not have the right to strike, although they do have recourse to mediation and arbitration. Wages

EI member organisation:
Japan Teachers' Union
(JTU - NIKKYOSO)
Membership: 280,000

and conditions for national and local public sector employees are set by laws and ordinances. Despite the fact that public servants do not have full rights to collective bargaining, the process usually involves various negotiations. Matters pertaining to the "administration and management" of the service are specifically excluded from any negotiations.

Teachers in Japan are mostly local government officials and their unions are officially recognised as legal entities for the purpose of negotiations with their employers, the local authorities. Many of the prefectural unions affiliated with JTU have succeeded in achieving "written agreements" with their local authority. The JTU has recently decided to acquire the status of a "judicial person".

KIRIBATI – REPUBLIC OF KIRIBATI

Population: 82,449

Population < 25:	47.5%	Life Expectancy at birth:	58m/63f
Illiteracy:	N/A (unofficial 1993 figure - 10%)	School Life Expectancy (years):	N/A
Net enrolment first level:	84%	% of 1994 cohort reaching grade 5:	85%m/92%f
Primary Pupil Teacher Ratio:	27	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	6.3%	% of Govt. expenditure on education:	17.6%

Kiribati is not a member of the ILO, or the United Nations

EDUCATION RIGHTS: Education is free and compulsory from age six until 14.

CHILD LABOUR: The law prohibits the employment of children under the age of 14. Children through the age of 15 are prohibited from industrial employment and employment aboard ships. Labour officers from the Ministry of Commerce, Industry and Employment normally enforce these laws effectively. Children are rarely employed outside the traditional economy of subsistence farming and fishing.

TRADE UNION RIGHTS: Workers are free to organise unions and the Government does not control or restrict unions. The small formal sector has a relatively strong and effective trade union movement. In 1982 the seven registered trade unions merged to form the Kiribati Trade Union Congress (KTUC). It has approximately 2,500 members, mostly from the public service sector. The Government sets wages in the public sector.

EI member organisation:
Kiribati National
Union of Teachers
(KNUT)
Membership: 400

KOREA (SOUTH KOREA) - REPUBLIC OF KOREA

Population: 45,948,811

Population < 25:	50.7%	Life Expectancy at birth:	68.8m 76f
Illiteracy:	Negligible m /3.3%f	School Life Expectancy (years):	15.1m 13.9f
Net enrolment first level:	98%m 99%f	% of 1994 cohort reaching grade 5:	100%
Primary Pupil Teacher Ratio:	32	Tertiary students per 100,000 inhabitants:	4,955
% of GNP spent on education:	3.7%	% of Govt. expenditure on education:	17.4%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
				✓				

EDUCATION RIGHTS: The Government provides high-quality primary education to all children free of charge, and most obtain a good secondary education. Education is compulsory through to the end of middle school (age about 14). About 4.8 million pupils are enrolled annually in primary schools and 5 million in vocational and secondary schools. Private schools play an important role, especially above the primary level. The country has 477 institutions of higher education, with a total annual enrolment of nearly 1.2 million students. In 1997 a planned film festival at Hongik University (Seoul) was cancelled, reportedly as a result of government pressure. The authorities took exception, in particular, to an allegedly pro-North Korean film, 'Red Hunt.' The cancellation of the festival led to demonstrations and attempts by student groups to show the films despite university disapproval. In 1994 authorities began investigating eight Kyongsang University professors on the grounds that their textbook on Korean society endorsed North Korean ideology. The investigation was regarded by much of the university community as a serious infringement of academic freedom. The investigation was eventually adjourned without any prosecutions.

CHILD LABOUR: The Labour Standards Law prohibits the employment of persons under the age of 15 without a special employment certificate from the Labour Ministry. Few such certificates are issued for full-time employment. Some children are allowed to hold part-time jobs such as selling newspapers. To obtain employment, children under 18 must have written approval from their parents or guardians. Employers may require minors to work only a limited number of overtime hours and are prohibited from employing them at night without special permission from the Labour Ministry. Child labour laws and regulations are clear and usually enforced when violations are found, but the Government employs too few inspectors to carry out regular inspections.

TRADE UNION RIGHTS: Public sector employees and teachers do not have the right to freedom of association. In the past, the Government did not formally recognise trade union federations that were not affiliated with the country's two legally recognised union groupings - the Federation of Korean Trade Unions (FKTU), with 1.8 million members, and the Independent Korean Federation of Clerical and Financial Workers. In the past several years however the Labour Ministry officially recognised some independent white-collar federations. In March 1997, after massive mobilisation by both the FKTU and KCTU, the National Assembly legalised federations, such as the Korean Confederation of Trade Unions (KCTU). However, the KCTU allowed the outlawed teachers union to remain affiliated with it, and consequently in May 1997 the Government refused to grant it official authorisation.

The ban on Chunkyojo, the Korean Teachers Union, has been justified with the assertion that teachers are held in high esteem in Korea and that to allow them to unionise and take strike action would lower their status in the eyes of the community. This view is strongly supported by KFTA, the larger of EI's affiliates. Chunkyojo has undertaken a lengthy campaign for recognition during which members have been imprisoned and 1500 teachers were dismissed from their jobs because of their membership. Twelve hundred were reinstated only after signing to affirm they would cease their membership. Three hundred teachers who refused to comply have still not been reinstated.

In 1997 those elected to leadership positions in the Chunkyojo were suspended from their teaching jobs for up to three months. This was evidence of a softening on the part of the authorities, as it was much less severe than previous punishments for union involvement. In May 1998, following negotiations arising from the collapse of the economy, the Government announced that it would move to legalise Chunkyojo but that teachers would not be given the legal right to strike. For the first time a Chunkyojo official was included as a workers adviser in the delegation to the ILO Conference.

The ILO Committee on Freedom of Association has repeatedly called on the Government to grant teachers full rights to freedom of association and collective bargaining.

EI member organisations:
Korean Federation of Teachers' Association (KFTA)
Membership: 256,200

Korean Teachers and Educational Workers' Union (KTU-CHUNKYOJO)
Membership: 15,000

MALAYSIA - Population: 20,376,235

Population < 25:	60.1%	Life Expectancy at birth:	69.9m/74.3f
Illiteracy:	10.9%m/21.9%f	School Life Expectancy (years):	N/A
Net enrolment first level:	91%m/92%f	% of 1994 cohort reaching grade 5:	94%
Primary Pupil Teacher Ratio:	20	Tertiary students per 100,000 inhabitants:	971
% of GNP spent on education:	5.3%	% of Govt. expenditure on education:	15.5%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87	98 ✓	100 ✓	105 ✓	111	138 ✓	169

EDUCATION RIGHTS: In Malaysia education is free between the ages of six and 18. Primary education is provided in Bahasa Malaysia, Chinese, and Tamil, depending upon the student's own language. English is taught as a compulsory second language. About 2.4 millions pupils are enrolled annually in primary schools, and about 1.4 million students attend government-assisted secondary schools. Vocational and technical schools are attended by more than 39,000 students. Higher education in Malaysia is provided at seven universities. Nearly 117,300 students annually received higher education at the universities or 37 specialised colleges. The Government implements extensive preferential programmes designed to boost the economic position of the Malay majority. Such preferential programmes and policies limit opportunities for non-Malays in higher education, employment and business.

CHILD LABOUR: The Children and Young Persons (Employment) Act of 1966 prohibits the employment of children younger than the age of 14. The Act permits some exceptions, such as light work in a family enterprise, work in public entertainment, work performed for the Government in a school or training institutions, or work as an approved apprentice. In no case may children work more than six hours per day, more than six days per week, or at night. Ministry of Human Resources inspectors enforce these legal provisions. Child labour is still occurring in certain sectors of the country. A report by the International Confederation of Free Trade Unions' Asian and Pacific Regional Organisation put the child work force at 75,000. However, government officials maintain that this figure is outdated, since it was based on a nationwide survey of child labour undertaken in 1980, which estimated that more than 73,400 children between the ages of 10 and 14 were employed full time. Most child labourers work on agricultural estates, but there are indications that some are being employed in small factories. Government officials do not deny the existence of child labour but maintain that foreign workers have largely replaced child labour and that the Government vigorously enforces child labour provisions. Although statistics are not available, the incidence of child prostitution appears to have decreased in recent years. Women's organisations still highlight the continuing problem of trafficking in young girls.

TRADE UNION RIGHTS: Approximately 10 percent of the work force belong to trade unions. The Trade Union Act of 1959 and Industrial Relations Act of 1967 restrict the right to organise and allow for wide-ranging interference in trade union affairs. A union can only represent workers in a particular establishment, trade, occupation or industry. A national centre has to register under the Societies Act, rather than as a trade union. Public service workers can only form unions on the basis of ministry, department, occupation or trade. Although strikes are legal, the right to strike is severely restricted. The law contains a list of 'essential services' in which unions must give advance notice of any industrial action. The list includes sectors not normally deemed essential under ILO definitions. The scope of collective bargaining is also restricted, particularly in the public sector. Specific areas relating to hiring and firing, transfer and promotion, dismissal and reinstatement and pensions, are excluded from collective bargaining and the definition of a dispute. There are two national labour organisations. The Malaysian Trade Union Congress (MTUC) is a federation of mainly private sector unions. CUEPACS is a federation of civil servant and teacher unions. Foreign workers are not allowed to join trade unions. The MTUC said in May 1997 that foreign workers should be unionised. The Government responded that labour laws were adequate to protect foreign workers' interests.

EI member organisations:
Malaysian Association of Education (MAE)
Membership: 3,165

National Union of the Teaching Profession (NUTP)
Membership: 65,693

Sabah Teachers' Union (STU)
Membership: 3,001

Sarawak Teachers' Union (STU
Membership: 7,500

MONGOLIA ■ Population: 2,538,111

Population < 25:	N/A	Life Expectancy at birth:	64.3m/67.3f
Illiteracy:	11.4%m/22.8%f	School Life Expectancy (years):	6.2m/8.1f
Net enrolment first level:	78%m/81%f	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	25	Tertiary students per 100,000 inhabitants:	1,569
% of GNP spent on education:	5.6%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
		✓	✓	✓		✓		

EDUCATION RIGHTS: The Government provides children of both sexes with free public education until the age of 16, although family economic needs and state budgetary difficulties make it difficult for some children to attend school. Education is compulsory to the age of 16. There continues to be a severe shortage of teaching materials at all educational levels. The Mongolian State University is in the capital, Ulaanbaatar. Other institutions of higher learning include schools of medicine and agriculture.

CHILD LABOUR: The law prohibits children under the age of 16 from working, although those aged 14 and 15 years of age may do so with parental consent. Those under 18 years of age may not work at night, engage in arduous work, or work in dangerous occupations such as mining and construction. Enforcement is limited. In Ulaanbaatar and major urban centres there are growing populations of street children. There are an estimated 3,000 street children.

TRADE UNION RIGHTS: Union membership totals over 400,000, somewhat less than half the work force. Union membership is decreasing as the economy shifts from large scale state enterprises and increasing numbers of workers become self-employed or work for small, non-unionised firms. Except for those employed in essential services, union members have the right to strike. Most union members are affiliated with the Mongolian Trade Unions Confederation, but some are affiliated with the newer Association of Free Trade Unions.

In practice, wages and other conditions of employment are set mainly by the employer, whether that employer is a private firm or the Government.

EI member organisation:
Free Federation of Mongolian
Education and Scientific
Workers' Trade Unions
(MESWU)
Membership: 15,000

NEPAL - KINGDOM OF NEPAL

Population: 22, 641, 061

Population < 25:	N/A	Life Expectancy at birth:	57.6m/57.1f
Illiteracy:	59.1%m/86%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	52%
Primary Pupil Teacher Ratio:	39	Tertiary students per 100,000 inhabitants:	501
% of GNP spent on education:	2.9%	% of Govt. expenditure on education:	13.2%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
			✓	✓		✓	✓	

EDUCATION RIGHTS: Although education is not compulsory the Government provides free primary education for all children between the ages of six and 12, but many families cannot afford school supplies or uniforms. Nepal is an extremely poor country. Over 80 percent of its people support themselves through subsistence agriculture. Tribhuvan University in Kathmandu is the country's principal institution of higher education. The Constitution provides that each ethnic group in Nepal has the right to operate schools up to the primary level in its mother tongue. There are some 75 ethnic groups speaking 50 languages. Education at secondary level is conducted exclusively in Nepali.

CHILD LABOUR: Up to half of all children work, mostly in agriculture. The Labour Act of 1992 prohibits employment of minors under 14 years of age, but employers, particularly in the informal sector and agriculture, widely ignore the law. The Nepali Labour Act specifically prohibits forced or bonded child labour, but enforcement of this law is also inadequate - forced child labour exists in many sectors of the economy. Trafficking in women and girls remains a serious social problem. Best available data suggests that approximately 7,000 girls between 10 -18 are lured or abducted into prostitution each year. In many cases, parents or relatives sell young girls into sexual slavery. In 1996 a certification system for carpets made without child labour was established. Partially as a result of this initiative, and of consumer pressure, the exploitation of children in the carpet industry has declined.

TRADE UNION RIGHTS: The Constitution provides for freedom of association and the Labour Act provides for collective bargaining. There are restrictions on the right to strike, though only essential services are completely prohibited from striking.

A 1992 law bans teachers from engaging in political activity, joining political parties or holding political office. The Nepali National Teachers Association (NNTA) held sit-ins at the end of 1995 and in early 1996 over the Government's refusal to discuss its demands. The Government had been refusing to talk to the union since 1993. During these three years, it had sacked and replaced almost 7,000 temporary teachers. Police violently attacked one sit-in, arresting and beating up teachers, including the NNTA president and secretary. Others were jailed on false charges and denied access to lawyers or families. The union accused the state of terrorising teachers. The authorities alleged that they were communists. On 16 June 1996, the NNTA said that a committee member in the Jajarkot district had been shot dead. Police used tear gas on a rally of teachers who had marched to Kathmandu on 4 July 1996. Hundreds were injured by police and more than 70 were arrested.

Following a change of Government in March 1997, the Nepalese Teachers Association (NTA) expressed concern at what it viewed as political bias in appointments to teaching vacancies.

EI member organisations:
Nepal National Teachers' Association (NNTA)
Membership: 90,000

Nepal Teachers' Association (NTA)
Membership: 57,854

NEW CALEDONIA - Population: 196,870

OVERSEAS TERRITORY OF FRANCE. New Caledonia has some laws and a currency that differ from France, however, its inhabitants are French citizens. They vote in national elections and elect two deputies and one senator to the French National Assembly and Senate. The French Government controls many of the main sectors of society, including secondary and higher education.

Population < 25:	54%	**Life Expectancy at birth:**	70.9m/75.9f
Illiteracy (1989):	15-24 1.3%m/1.1%f 25 > 8.1%m/10.8%f	**School Life Expectancy (years):**	12
Net enrolment first level:	99%	**% of 1994 cohort reaching grade 5:**	99%
Primary Pupil Teacher Ratio:	20%	**Tertiary students per 100,000 inhabitants:**	1,100
% of GNP spent on education (1985):	13.5%	**% of Govt. expenditure on education:**	7%

New Caledonia is not eligible for membership of either the UN or the ILO. **SEE FRANCE.**

EDUCATION RIGHTS: While formal education is now compulsory for all New Caledonians between the ages of six and 16, it was not until 1956 that secondary schools were opened for the Melanesian population, the Kanaks. Primary education is in the hands of each province (there are three: Loyalty Islands, North, South). Secondary schools are under state control and their teachers are mostly from France. The French University of the South Pacific has had a campus in Noumea since 1968. With 1100 students, it concentrates on English, modern literature, law and history, together with 'local' programmes for mining, public works and aquaculture. Students studying science can complete only two years in Noumea, after that they are obliged to finish their studies elsewhere. In 1984, rebel schools known as Kanak Popular Schools were started in various regions with a large Kanak population in a bid to 'decolonise' Kanak children. These schools rejected the French curriculum. The Government refused to recognise them and they have since been abandoned. In their place have grown a few schools known as Maisons Familial et Rural. The focus of these schools is on agriculture and the aim is to produce teachers and specialists in agriculture. The Kanaks' linguistic diversity (there are 27 language groups and many dialects) has long been used by the French authorities as a reason not to teach local languages at school. However, in a very recent initiative there have been some schools on the Loyalty Islands and around Houailou (on the principal island of Grande Terre) that have started teaching the local language for a couple of hours each week. In the private lycee in Noumea, students can get training in two relatively common Kanak languages, Drehu and Ajie. At higher levels, both the government-

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run and private teachers' training colleges in Noumea offer students the option of studying Melanesian languages and literature.

CHILD LABOUR: New Caledonian provisions are based on those of mainland France.

TRADE UNION RIGHTS: Trade union laws are based on those of mainland France. ILO Conventions ratified by France cover New Caledonia. Workers in New Caledonia enjoy union rights including freedom of association, the right to organise and the right to strike.

EI member organisation:
Fédération de l'Enseignement
Syndicale des Travailleurs
Kanaks et des Exploités
(FE/USTKE)
Membership: 1,000

NEW ZEALAND – Population: 3,587,275

RESPONSIBILITIES: Tokelau (population: 1,600) - a non-self-governing territory; **Niue** (population: 1,800) - a self-governing state in free association with New Zealand, **Cook Islands** (population 19,776) - a self governing state in free association with New Zealand Local laws are compatible with New Zealand and British common law] **SEE ALSO COOK ISLANDS**

Population < 25:	41.9%	Life Expectancy at birth:	74.7m/79.7f
Illiteracy:	Negligible	School Life Expectancy (years):	16m/16.7f
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	95%m/96%f
Primary Pupil Teacher Ratio:	18	Tertiary students per 100,000 inhabitants:	4,603
% of GNP spent on education:	6.7%	% of Govt. expenditure on education:	17.2%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓			✓	✓	✓		

EDUCATION RIGHTS: Education is free and compulsory for children between the ages of six and 16 years, but children may enter school at five and continue until they are 19. Subsidised early childhood services are provided for children less than five years of age. Primary education consists of infant classes during the first two years and six annual grades. Free secondary education is available to all children who have completed primary or who have attained the age of 14. On completion of the third year of secondary education, pupils take a national examination for a school certificate, which attests to completion of basic secondary education. The prerequisite for admission to university study is either attaining a sixth-form certificate or passing the university entrance examination. In 1995 there were 2,312 public and private primary schools with 19,988 teachers and an enrolment of 444,800. Another 33,000 students attended composite schools, which combine primary and secondary education and include a correspondence school, which provides off-campus learning for students unable to attend a regular school. About 390 secondary and special schools, with 15,520 teachers were attended by some 232,250 students. There is now a strong demand for the language of the Indigenous Maori people to be available throughout the New Zealand education system. The language revival began with the establishment of Maori language early childhood centres and has now progressed to primary, secondary and tertiary sectors. The seven separate government-funded universities had a combined enrolment of 104,525 in 1995 and 94,389 students attended some 25 polytechnic institutions. There are five Colleges of Education for the training of teachers; they had a combined enrolment of 12,645 in 1995.

CHILD LABOUR: Children may not be employed under the age of 15 years in manufacturing, mining and forestry. Children under the age of 16 may not work between 22:00 and 06:00 hours. In addition to explicit restrictions on the employment of children, compulsory education ensures that children under the minimum age for leaving school (now 16 years) are not employed during school hours. By law children enrolled in school may not be employed, even outside school hours, if such employment would interfere with their education. Traditionally children under 12 years of age have been employed delivering newspapers and milk before and after school, in family shops, on family farms, and in horticulture harvesting.

TRADE UNION RIGHTS: Union membership has declined significantly following the introduction of the Employment Contracts Act (1991). The ECA promotes individual contracts and creates major obstacles for collective bargaining, especially for multi-employer contracts. Secondary principals and primary principals in larger schools have been forced on to individual contracts despite an overwhelming majority in favour of remaining on collective contracts. The New Zealand Government is currently offering incentives to small primary schools to persuade their principals to abandon the collective employment contract. Primary and secondary teachers are two of the very few groups that have been able to retain national collective contracts. Kindergarten teachers, child care workers, and school support staff, like polytechnic and university staff, are covered by a mix of individual, single employer and multi-employer contracts.

After the Act came into force, the New Zealand Council of Trade Unions reported that workers had been pressed into signing individual contracts introduced unilaterally by employers - including where the workers concerned had authorised a union to negotiate for them. The right to strike was also limited by the Act, most importantly by the ban on strikes aimed at concluding multi-company collective agreements. The ILO ruled in 1994 that the Act was incompatible with freedom of association, and the promotion and encouragement of collective bargaining. It recommended that the Act be rewritten after tripartite discussions to ensure its compatibility with ILO principles. It also recommended that strikes over multi-employer collective agreements should be legalised. The New Zealand Government has done nothing to carry out the ILO recommendations.

EI member organisations:
Independent School Teachers' Association of New Zealand (ITANZ)
Membership: 330

New Zealand Educational Institute/Te Riu Roa (NZEI)
Membership: 22,659

• New Zealand Post Primary Teachers' Association (NZPPTA)
Membership: 11,498

PAKISTAN – ISLAMIC REPUBLIC OF PAKISTAN

Population: 132,185,299

Population < 25:	63.2%	Life Expectancy at birth:	62.9m/65.1f
Illiteracy:	50%m/75.6%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓		✓	✓		

EDUCATION RIGHTS: There is no federal law on compulsory education, and neither the federal or provincial governments provide sufficient resources to assure universal education. Pakistan's education system is in disarray, with studies showing that only 70 percent of children under the age of 12 are enrolled in school, less than half of whom actually complete primary school. Even those children who make it up to the fifth grade are not assured of being able to read and write. According to UNICEF figures, a nationwide sample of children in grade five revealed that only 33 percent could read with comprehension, while a mere 17 percent were able to write a simple letter. Development experts point to a number of factors for the poor state of public education, including the low percentage of gross national product devoted to education, and inefficient and corrupt federal and provincial bureaucracies. One member of the Prime Minister's education task force estimated that up to 50 percent of the education budget was 'pilfered.'

Islamic studies is compulsory for all Muslim students in state-run schools. Students of other faiths are not required to study Islam but are not provided with parallel studies in their own religion. In practice, many non-Muslim students are compelled by teachers to complete the Islamic study programme. The Government and universities generally respect academic freedom. However, the atmosphere of violence and intolerance fostered by student organisations, typically tied to political parties, continued to threaten academic freedom, despite the fact that a 1992 Supreme Court ruling prohibits student political organisations on campuses.

CHILD LABOUR: It is estimated that there are about 10 million working children in Pakistan but accurate figures are not available. Children are sometimes kidnapped to be used as forced labour. In rural areas, it is traditional practice for poor parents to give their children to rich landlords in exchange for money or land. Their "owners" frequently abuse these children, according to human rights advocates. Incidents of rape and murder of teenage children are common.

Child prostitution involving boys and girls is widely known to exist but rarely reported or discussed. The Government's own child labour survey in 1996 stated that 8.3 percent of children between the ages of five and 14 years work. The child labour force is predominantly male (73 percent) and predominantly rural (71 percent). About 60 percent of child labourers are in Punjab. Nearly half the child labourers work 35 hours or more per week and some 12.6 percent work 56 hours or more. The majority of children work in agriculture, forestry, hunting and fishing industries; nine per cent in wholesale/retail; eight per cent in social and personal services; and 11 percent work in the craft and manufacturing sector. An UNICEF report estimated that there are 1.2 million children engaged in the Pakistan carpet industry. Conditions of work for children weaving at home, in cottage industry situations, were found to be often worse than those found in private workshops. The work is painful and unhealthy and many of the children are severely ill by the time they become adults. Some export sectors have taken active measures to eliminate or phase out child labour. In February 1997, soccer ball manufacturers, importers, the ILO, and UNICEF agreed upon an action plan to eliminate child labour from the soccer ball industry within 18 months. The Government is establishing a pilot programme of 18 rehabilitation centres for 'former child labourers'. Each centre educates 60 to 100 children. The ILO is supporting another similar programme with the European Union assistance.

TRADE UNION RIGHTS: Union members make up only about 10 percent of the industrial labour force and three percent of the total estimated work force. Contract labour continues to flourish, undercutting the power of the unions and exploiting workers willing to work on temporary contracts. These workers receive fewer benefits and have no job security. The law only allows a minority of workers to organise, bargain collectively and strike. The right to organise is denied to teachers, government workers, hospital workers, self-employed workers, among others. The ILO has repeatedly stated that current law and practice violate the Government's commitments under ILO Convention 87. The ILO has urged the Government to lift prohibitions against union activity in respect to teachers and other government employees, as well as to rescind the existing ban on strikes. In response to a government request, the ILO has provided technical assistance to help bring the country's labour laws into conformity with the world body's conventions.

EI member organisations:
All Pakistan Government School Teachers' Association (APGSTA)
Membership: 17,000

Pakistan Lady Teachers' Association (PLTA)
Membership: 400

Pakistan Teachers' Organisation' Council (PTOC)
Membership: 15,000

Sindh Polytechnic Teachers' Association (SPTA)
Membership: 1,000

PAPUA NEW GUINEA - THE INDEPENDENT STATE OF PAPUA NEW GUINEA

Population: 4,496,221

Population < 25:	44%	**Life Expectancy at birth:**	57.2m/58.7f
Illiteracy:	19%m/37.3%f	**School Life Expectancy (years):**	6
Net enrolment first level:	73%	**% of 1994 cohort reaching grade 5:**	59%m/60%f
Primary Pupil Teacher Ratio:	33	**Tertiary students per 100,000 inhabitants:**	318
% of GNP spent on education:	4.7%	**% of Govt. expenditure on education:**	19.7%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87	98 ✓	100	105 ✓	111	138	169

EDUCATION RIGHTS: Papua New Guinea comprises some 1000 tribes and over 800 distinct languages. Pidgin is the national lingua franca. Eighty-five percent of the population lives in isolated villages and engages in subsistence and smallholder agriculture. For the majority of citizens, income and literacy are at a low level. According to a 1996 UN report, 33 per cent of girls and 21 per cent of boys do not attend primary school.

CHILD LABOUR: The Minimum working age, according to the Employment Act, is 18. However, children between the ages of 11 and 18 may be employed in a family-related business or enterprise provided they have parental permission, a medical clearance and a work permit from a labour office. This type of employment is rare, except in subsistence agriculture.

TRADE UNION RIGHTS: About half of the 250,000 wage earners in the formal economy are organised and are members of one of approximately 50 trade unions. The Constitution provides for the right to engage in collective bargaining and to join industrial organisations. These rights are exercised freely. Under the law, the Government has discretionary power to cancel arbitration awards or declare wage agreements void when they are contrary to government policy. This law was criticised by the International Labour Organisation in 1994.

EI member organisation:
Papua New Guinea Teachers' Association (PNGTA)
Membership: 12,663

THE PHILIPPINES – REPUBLIC OF THE PHILIPPINES

Population: 76,103,564

Population < 25:	N/A	Life Expectancy at birth:	66.6m/70.2f
Illiteracy:	5%m/5.7%f	School Life Expectancy (years):	11 years
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	70%
Primary Pupil Teacher Ratio:	35	Tertiary students per 100,000 inhabitants:	2,701
% of GNP spent on education:	2.2%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138	169

EDUCATION RIGHTS: Education in the Philippines is free and compulsory for children of age seven to 12. Although Filipino is taught, and in the lower grades, local dialects are also used, English is the main language of instruction. About 9.2 million pupils are enrolled annually in primary schools, and some 3.4 million students attend secondary schools. Approximately 1.1 million students attend universities and colleges. Family poverty causes many school dropouts. About 67 percent of children complete the 6th grade. Approximately 1.5 million children age seven to 12 are not in school. Public primary and secondary schools are free of tuition charges, but poor families are unable to meet the numerous peripheral costs for uniforms, school supplies, shoes and transportation. Indigenous people live throughout the Philippines but primarily in the mountainous areas of northern and central Luzon and Mindanao. They account for about 18 percent of the population. They have not been fully integrated into society and Indigenous children suffer from a lack of basic services, health and education. The Philippines continues to be affected by insurgency and counter-insurgency in some provinces. In March 1997 in Buldon in Mindanao, 10 Muslim students and a teacher were killed by artillery fire that destroyed the building where they were holding classes.

CHILD LABOUR: Child labour is a serious problem in the Philippines. Official sources estimate that there are 777,000 child workers between the ages of 10 and 14. There are no reliable figures for younger children. Total numbers, however, are agreed to be around 5-5.7 million children doing one sort of work or another. They are employed in the garment industry, agriculture, furniture making and in gold mining, food processing, footwear, plastics, domestic service, the informal sector and fishing. According to UNICEF and the ILO more than 2 million children were exposed to hazardous working environments, including quarries, mines and at dockside.

In the agricultural sector child workers typically work long hours and are exposed to toxic pesticides and other harmful chemicals. Children also are employed in a dangerous form of coral reef fishing, which exposes them to shark and needlefish attacks and increases their vulnerability to disease. The Government's Department of Social Work and Development reported in June 1997 that there were over 50,000 street children in Manila and over 100,000 nationwide. Non-governmental figures put the number of street children nationwide as much higher (over 1 million). Reportedly most were abandoned with no family support and engaged in scavenging or begging. The Government has adopted a tough policy of seeking prosecution of pedophiles. However, despite government efforts at law enforcement and expanded children's programmes, there are an estimated 60,000 children involved in the commercial sex industry according to UNICEF. Officially, the law prohibits the employment of children below the age of 15, except under the direct and sole responsibility of parents or guardians. The Labour Code allows employment for those between the ages of 15 and 18 for such hours and periods of the day as are determined by the Secretary of Labour but forbids employment of persons under 18 years of age in hazardous or dangerous work. The legal process has not yet resulted in a court conviction of an employer found using child labour.

TRADE UNION RIGHTS: Unions claim to have organised some 12 percent of the total work force of 29.1 million. Fewer than 500,000 workers are covered by collective bargaining agreements. The majority of unions are affiliated with the Trade Union Congress of the Philippines. Labour legislation restricts the right to strike by giving the Secretary of Labour the prerogative to decide whether planned or current strikes are threats to the national interest, and if so, to assume jurisdiction over disputes; to impose compulsory arbitration; and to order strikers back to work. The 1974 Labour Code does not apply to public sector workers, who in effect have no collective bargaining rights and cannot strike.

EI member organisations:
Alliance of Concerned Teachers (ACT)
Membership: 100,000

National Alliance of Teachers and Office Workers (NATOW)
Membership: 10,000

Philippine Public School Teachers' Association (PPSTA)
Membership: 260,000

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SAMOA - INDEPENDENT STATE OF SAMOA

Population: 219,509

Population < 25:	67.2%	Life Expectancy at birth:	67.5m/71f
Illiteracy:	2%	School Life Expectancy (years):	11.4m/11.7f
Net enrolment first level:	100%m/99%f	% of 1994 cohort reaching grade 5:	84%
Primary Pupil Teacher Ratio:	24	Tertiary students per 100,000 inhabitants:	830
% of GNP spent on education:	2.35% (1994)	% of Govt. expenditure on education:	22%

Ratification of UN Convention on Rights of the Child: ✓
Samoa is not a member of the ILO.

EDUCATION RIGHTS: Education is provided by the Government and church-sponsored schools. It is not free but it is compulsory between the ages of six and 18. The National University of Samoa and the University of the South Pacific's School of Agriculture are in the capital, Apia.

CHILD LABOUR: It is illegal to employ children under 15 years of age except in 'safe and light work'. The Commissioner of Labour refers complaints about illegal child labour to the Attorney General for enforcement. Children are frequently seen hawking goods and foodstuffs on Apia street corners. Although a violation of the Labour and Employment Act (LEA), local officials mostly tolerate and overlook the child vendors. The LEA does not apply to service rendered to the matai (family heads), some of whom require children to work for the village, primarily on village farms.

TRADE UNION RIGHTS: The Public Service Association (PSA), representing government workers, an increasingly important sector of the work force, functions as a union. All workers have the legal right to engage in collective bargaining but it is seldom practiced. However, the PSA engages in collective bargaining on behalf of government workers, including bargaining on wages.

EI member organisation:
Western Samoa Teachers' Association (WSTA)
Membership: 900

SINGAPORE - REPUBLIC OF SINGAPORE

Population: 3,461,929

Population < 25:	44.2%	**Life Expectancy at birth:**	75.1m/79.5f
Illiteracy:	4.1%m/13.7%f	**School Life Expectancy (years):**	N/A
Net enrolment first level:	N/A	**% of 1994 cohort reaching grade 5:**	N/A
Primary Pupil Teacher Ratio:	N/A	**Tertiary students per 100,000 inhabitants:**	2,522
% of GNP spent on education:	3%	**% of Govt. expenditure on education:**	23.4%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓		✓		✓			

EDUCATION RIGHTS: Singapore has some 290 primary schools with 278,300 pupils and 160 secondary schools with 200,200 students. The principal institutions of higher education are the National University of Singapore, several technical colleges, and a teachers' college. The Government has announced that it is investing in technical equipment for all schools in order to provide every two students with a computer by the year 2000. Every teacher will have access to a laptop and an Internet connection.

CHILD LABOUR: The Government enforces the Employment Act, which prohibits the employment of children under age 12. A child over age 12 and under age 14 must receive written permission from the Commissioner for Labour for 'light work suited to his capacity in a non-industrial undertaking'. There are few such applications, and the Commissioner of Labour has never approved one. Employers must notify the Ministry of Labour within 30 days of hiring a child between the ages of 14 and 16 and must forward medical certification to the Commissioner. The incidence of children taking up permanent employment is low, and abuses almost nonexistent. Ministry of Labour regulations prohibit night employment of children and restrict industrial work for children between the ages of 14 and 16 to no more than seven hours a day. Children may not work on commercial vessels, with any machinery in motion, on live electrical apparatus lacking effective insulation, or in any underground job. The Ministry of Labour effectively enforces these laws and regulations.

TRADE UNION RIGHTS: The national labour force comprises 1.8 million employees, more than 255,020 of whom are organised into 83 employee unions. Seventy-three percent of all unionised workers are affiliated with the National Trades Union Congress (NTUC), an umbrella organisation that has a close relationship with the Government. No strikes have occurred in Singapore since 1986. If conciliation fails, the disputing parties usually submit their case to the Industrial Arbitration Court (IAC), which has representatives from labour, management and the Government. The IAC can refuse to register a collective agreement which is not considered to be in the public interest, although there are no reports that this has taken place.

EI member organisations:
Singapore Chinese Teachers' Union (SCTU)
Membership: 1,000

Singapore Malay Teachers' Union (SMTU)
Membership: 1,300

Singapore Tamil Teachers' Union (STTU)
Membership: 396

Singapore Teachers' Union (STU)
Membership: 7,000

Union of Institute of Technical Education Training Staff (UITETS)
Membership: 1,219

SOLOMON ISLANDS – Population: 426,855

Population < 25:	60%	**Life Expectancy at birth:**	69.6m/73.9f
Illiteracy (1994):	unofficial 46%	**School Life Expectancy (years):**	9
Net enrolment first level:	94%	**% of 1994 cohort reaching grade 5:**	81%
Primary Pupil Teacher Ratio:	24	**Tertiary students per 100,000 inhabitants:**	452
% of GNP spent on education:	2.55%	**% of Govt. expenditure on education:**	12.37%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓							

EDUCATION RIGHTS: There is no compulsory education. According to some estimates, only 60 percent of school age children have access to primary education; the percentages of those attending secondary and tertiary institutions are much smaller.

CHILD LABOUR: The law forbids child labour by children under the age of 12, except in light agriculture or domestic work performed in the company of parents. Children under the age of 15 are barred from work in industry or on ships; those under age 18 may not work underground or in mines. Given low wages and high unemployment, there is little incentive to employ child labour.

TRADE UNION RIGHTS: Only about 10 to 15 percent of the population participate in the formal sector of the economy. Approximately 60 to 70 percent of wage earners are unionised (90 percent of employees in the public sector and about 50 percent of those in the private sector). The law permits strikes. Disputes are usually referred quickly to the Trade Disputes Panel (TDP) for arbitration, either before or during a strike. Wages and conditions of employment are determined by collective bargaining.

EI member organisation:
Solomon Island National Teachers' Association (SINTA)
Membership: 2,300

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SRI LANKA - DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

Population: 18,762,075

Population < 25:	47.8%	Life Expectancy at birth:	70.9m/75.4f
Illiteracy:	6.6%m/12.8%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	98%m/99%f
Primary Pupil Teacher Ratio:	28	Tertiary students per 100,000 inhabitants:	474
% of GNP spent on education:	3.1%	% of Govt. expenditure on education:	8.1%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓				

EDUCATION RIGHTS: Education is compulsory to the age of 12 and free up to university. State schools numbering about 10,200 are staffed by some 140,100 teachers. Sri Lanka has ten universities.

CHILD LABOUR: The minimum age for employment is 15. The law also permits the employment of younger children by their parents or guardians in limited agricultural work. In addition, the law permits employment in any school or institution for training purposes. The law does not specifically prohibit forced or bonded labour by children and a few rural children reportedly serve in debt bondage, often given into service as domestic servants in urban households by poverty stricken parents. Some of these children have been abused by their employers. Estimates of the total number of children employed in domestic service range from 50,000 to 100,000. About 85 percent of children below the age of 16 attend school. The law permits the employment of such persons for not more than one hour on any day before school. A 1995 labour survey of the plantations, however, indicated that half of all children in plantations drop out of school after the fourth grade, leaving a large pool of children between the ages of 10 and 15 to pursue employment.

There is a significant problem of child prostitution in certain coastal resort areas. The Government estimates that there are more than 2,000 active child prostitutes in the country, but private groups claim the number is much higher. Many of these prostitutes are boys who sell themselves to foreign tourists. In the Liberation Tigers of Tamil Eelam (LTTE)-controlled territory in the north of the island, the LTTE conscripts high-school age

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children for work as cooks, messengers and clerks. In some cases, the children help build fortifications. Children as young as ten are said to be recruited and placed for two to four years in special schools that provide a mixture of LTTE ideology and formal education.

TRADE UNION RIGHTS: Civil servants may collectively submit labour grievances to the Public Service Commission but have no legal grounds to strike. Nonetheless, government workers, including those in education, have staged brief strikes and other work actions in recent years.

EI member organisations:
All Ceylon Union of Government English Teachers (ACUGET)
Membership: 3,000

All Ceylon Union of Teachers (ACUT)
Membership: 2,640

All Ceylon Union of Teachers (Government) (ACUT[G])
Membership: 2,865

Ceylon Tamil Teachers' Union (CTTU)
Membership: 15,000

Sri Lanka Independent Teachers' Union (SLITU)
Membership: 10,115

TAIWAN – Population: 21,655,515

Population < 25:	N/A	Life Expectancy at birth:	73.4m/79.1f
Illiteracy:	5.3%	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Taiwan is not eligible for membership of the United Nations and is not a member of the ILO.

EDUCATION RIGHTS: Education is free and compulsory for all children between the ages of six and 15. Taiwan's only non-Chinese minority group consists of Aboriginal descendants of Malayo-Polynesians. There are 357,000 Aboriginals. Recent moves to upgrade the status of the Aboriginal people have included some Aboriginal-language classes in primary schools. Only about 50 percent of Aboriginal children complete primary school.

CHILD LABOUR: The sale of Aboriginal girls into prostitution by their parents is a serious social problem. Intensive efforts to address this problem had resulted in a substantial reduction in the mid 1990s. Child prostitution is also a problem in the wider community. It involves between 40,000 and 60,000 children. Most child prostitutes range from 12 to 16 years of age. The juvenile welfare law enables juvenile welfare bodies, prosecutors and victims to apply to courts for termination of guardianship of parents and the appointment of qualified guardians if parents have forced their children into prostitution. If children are engaged in prostitution of their own free will, and parents are incapable of providing safe custody, the courts may order competent authorities to provide counselling. However, loopholes and cultural barriers remain obstacles to enforcement. According to some reports, violence, drug addiction and other forms of coercion are used by brothel owners to prevent child prostitutes from escaping.

TRADE UNION RIGHTS: In 1995 the Judicial Yuan decided that the right to organise trade unions is protected by the Constitution. But, until new legislation implementing this decision is passed, teachers, civil servants, and defence industry workers are not permitted to form trade unions.

EI member organisation:
China Education Society
Membership: 10,500

THAILAND - KINGDOM OF THAILAND

Population: 59,450,818

Population < 25:	59.8%	Life Expectancy at birth:	66.3m/72.3f
Illiteracy:	4%m/8.4%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	20	Tertiary students per 100,000 inhabitants:	2,096
% of GNP spent on education:	4.2%	% of Govt. expenditure on education:	20.1%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87	98	100	105 ✓	111	138	169

EDUCATION RIGHTS: Children are officially required to receive six years of education. Education is free and compulsory for all children between the ages of seven and 14. About 90% of the children are enrolled in either public primary schools or those operated by Buddhist monasteries. Only 33 percent of all eligible children attend secondary schools. The Government plans to increase the relatively small compulsory education requirement from six to nine years. Some 577,000 teachers teach 11.9 million students. Thailand has 17 universities, including two very large open universities. There are 36 teacher-training colleges.

CHILD LABOUR: Forced or bonded labour by children and child prostitution are serious problems in Thailand. The legal minimum age for employment is 13 years. A bill raising the minimum age for employment to 15 years has passed the lower house and is being considered by the Senate. Nearly 90 percent of children complete six grades of compulsory education at age 12; but only 60 percent of 13-year-olds are enrolled in seventh grade, although the percentage is increasing. The law permits the employment of children between the ages of 13 and 15 only in 'light work', where the lifting of heavy loads and exposure to toxic materials or dangerous equipment or situations is restricted. The employment of children at night, or in venues where alcohol is served, is prohibited. In reality between 850,000 and 1.5 million children work in Thailand, the majority on family farms. Between 240,000 and 410,000 in the six to 14 age group are estimated to be in urban employment at particular risk of exploitation. The number of children forced or tricked into prostitution is unknown, although estimates range between 20,000 and 300,000. In the urban setting, children working outside the commercial sex industry are employed in the service sector, primarily at gas stations and restaurants. Numerous sweatshops employ children in harsh conditions.

In 1996 the Government enacted a strong law against trafficking in, patronising or profiting from child prostitutes. However, police sources were unable to confirm after a year of the new law that anyone had been arrested. On the one hand the law prohibits the trafficking of women and children for the purposes of prostitution or slave labour, but on the other hand there continue to be credible reports of involvement by some corrupt police, military and Government officials in trafficking schemes. The number of Burmese, Cambodian, Vietnamese and Chinese children enticed into or forced into prostitution in Bangkok and other cities in Thailand, increased during 1997.

TRADE UNION RIGHTS: Workers in the public sector do not have the right to form unions - the 1991 State Employee Relations Act, which abolished unions in the state sector, remains in place. In state enterprises, the law allows workers in each state enterprise to form a single 'association' after at least 30 percent of the enterprise's employees submit a petition to register. These associations submit employee grievances to management and propose changes to benefits and working conditions but may not negotiate wages. Successive governments pledged to enact legislation that would repeal the 1991 law and restore most rights enjoyed by state workers prior to 1991. The proposed changes were still under discussion at the end of 1997.

EI member organisations:
The Education Society of Thailand (EST)
Membership: 1,000

Federation of Elementary Education Teachers' Association of Thailand (FEETAT)
Membership: 42,000

Private School Teachers' Association of Thailand (PSTA)
Membership: 1,500

TONGA - KINGDOM OF TONGA

Population: 107,335

Population < 25:	46%	Life Expectancy at birth:	67.3m/71.7f
Illiteracy:	Negligible	School Life Expectancy (years):	N/A
Net enrolment first level:	97%	% of 1994 cohort reaching grade 5:	84%
Primary Pupil Teacher Ratio:	22	Tertiary students per 100,000 inhabitants:	680
% of GNP spent on education:	4.7%	% of Govt. expenditure on education:	17.3%

The **Kingdom of Tonga** is not a member of the UN, nor a member of the ILO.

EDUCATION RIGHTS: Education has been compulsory since 1882. Although it is sometimes criticised as being of indifferent quality, education is provided for all children to Form 6 (upper secondary school). It is free and compulsory from the ages of six to 14. Attendance rates are good. Tonga's literacy rate is among the highest in the Pacific. Most primary schools are operated by the government, while most secondary schools are sponsored by churches. The University of the South Pacific Extension Centre and 'Atenisi Institute, a private Tongan institution that offers several degree programmes, are located in Nuku'alofa.

CHILD LABOUR: Child labour is not used in the formal economy, although there is no legislation prohibiting it.

TRADE UNION RIGHTS: Workers have the right to form unions under the 1964 Trade Union Act. Teachers, nurses and squash farmers form the core of the National Trade Union Centre in Tonga. In 1997 teachers and nurses were engaged in working out their first collective agreements with the Government.

EI member organisation:
Friendly Islands
Teachers' Association
(FITA)
Membership: 450

TUVALU - Population: 10,297

Formerly the Ellice Islands part of the British Colony of the Gilbert and Ellice Islands.

Population < 25:	36%	Life Expectancy at birth:	62.4m/64.8f
Illiteracy:	5%	School Life Expectancy (years):	--
Net enrolment first level:	--	% of 1994 cohort reaching grade 5:	89%m/98%f
Primary Pupil Teacher Ratio:	--	Tertiary students per 100,000 inhabitants:	--
% of GNP spent on education:	--	% of Govt. expenditure on education:	--

Ratification of UN Convention on Rights of the Child: ✓
Tuvalu is not a member of the ILO.

EDUCATION RIGHTS: Education is compulsory for children from six to 13 years of age.

CHILD LABOUR: The employment law prohibits children under the age of 14 from working. The law also prohibits children under 15 years of age from industrial employment or work on any ship and stipulates that children under the age of 18 years are not allowed to enter into formal contracts, including work contracts. Children are rarely employed outside the traditional economy.

TRADE UNION RIGHTS: Workers are free to organise unions and choose their own labour representatives, but most of the population lacks permanent employment and is engaged in subsistence activity. The law provides for the right to strike, but no strike has ever been recorded. In the public sector, civil servants, teachers and nurses - who total less than 1000 employees - are grouped into associations that do not presently have the status of unions. The only registered trade union is the Tuvalu Seaman's Union. The Industrial Relations Code (1978) provides for conciliation, arbitration and settlement procedures in cases of labour disputes. For both the private and public sectors, the legal procedures for resolving labour disputes are seldom used; instead the two sides normally engage in nonconfrontational deliberations in the various atolls multipurpose meeting halls. Plans are afoot to include teachers in church run schools in the teachers' association.

EI member organisation:
Tuvalu Teachers' Association (TTA)
Membership: 112

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VANUATU - REPUBLIC OF VANUATU

Population: 181,358

Former Anglo-French Condominium of **New Hebrides.** Independent since 1980.

Population < 25:	65.4%	Life Expectancy at birth:	65.5m/69.5f
Illiteracy (1992):	unofficial 47%	School Life Expectancy (years):	3.7
Net enrolment first level:	76.6%	% of 1994 cohort reaching grade 5:	61%
Primary Pupil Teacher Ratio:	31	Tertiary students per 100,000 inhabitants:	833
% of GNP spent on education:	4.9%	% of Govt. expenditure on education:	16.87%

Ratification of UN Convention on Rights of the Child:
Vanuatu is not a member of the ILO.

EDUCATION RIGHTS: Although the Government has made education a priority, access to education is limited and school attendance is not compulsory. Political instability, with a record succession of five coalition Governments since 1991, has hindered the Republic's development, particularly in education. Vanuatu has three institutions of higher learning - a teachers college, an agricultural school, and an annex of the University of the South Pacific.

CHILD LABOUR: The law prohibits children under 12 years of age from working outside of family-owned agricultural production, where many children assist their parents. Employment of children from 12 to 18 years of age is restricted by occupational category and conditions of labour, for example, restrictions on employment in the shipping industry and on night time employment.

TRADE UNION RIGHTS: Unions may not affiliate with international labour federations without government permission. Approximately 29,000 persons participate in the formal economy as wage earners. There are five trade unions. The unions are grouped under an umbrella organisation, the Vanuatu Council of Trade Unions. The high percentage of the population still engaged in subsistence agriculture and fishing deters extensive union activity. In addition membership in the Vanuatu Public Servants Union fell dramatically following the Government's wholesale dismissal of hundreds of full-time public servants during a protracted general strike in 1994. Combined union membership in the private and public sectors reportedly has fallen from more than 4,000 to less than 1,000 in the aftermath of the 1994 strike - this means that teachers account for 70 percent of union membership in Vanuatu. Vanuatu Teachers' Union members were hit hard by the Government action. However, the union has now almost fully recovered from the attacks on it and is making a major contribution to the rebuilding of trade unionism in Vanuatu.

EI member organisation:
Vanuatu Teachers' Union
(VTU)
Membership: 500

EUROPE

ALBANIA - REPUBLIC OF ALBANIA

Population: 3,293, 252

Population < 25:	N/A [<15: 33%]	**Life Expectancy at birth:**	68m 74f
Illiteracy:	N/A	**School Life Expectancy (years):**	14.4m 14.2f
Net enrolment first level:	95%m/97%f	**% of 1994 cohort reaching grade 5:**	82% [down from 98% in 1991
Primary Pupil Teacher Ratio:	18	**Tertiary students per 100,000 inhabitants:**	899
% of GNP spent on education:	3.4%	**% of Govt. expenditure on education:**	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: The education indicators show that participation in basic education has declined following the succession of political and economic crises that have swept Albania since the demise of the Hoxha dictatorship.

Illiteracy had been virtually eliminated by the late 1980s. A plan was announced in 1990 that would extend the compulsory education system (primary education is free and compulsory for all children between the ages of seven and 15). However, the following years' economic and political crises and the ensuing breakdown in public order, plunged the school system into chaos. In 1997 there was widespread vandalism (over 800 schools ransacked and damage was estimated at US$ 35 million) and extreme shortages of textbooks had a devastating effect on school operations, prompting Italy and other countries to provide material assistance. Many teachers relocated from rural to urban areas, leaving village schools understaffed. About 2,000 teachers fled the country.

Mother tongue classes are provided to the Ethnic Greek and Macedonian students with support from Greece and the FYR of Macedonia. Many ethnic minority teachers also fled during the disturbances and have not returned.

The country has four universities and five other institutions of higher education. Concerns have been expressed about academic freedom following firings, hiring and student selections deemed by some to be politically motivated.

CHILD LABOUR: The labour code sets the minium age of employment at 16 years and limits the amount and type of work that can be performed by persons under age 18, but children age 14-16 may work in light part-time jobs during summer vacations. In rural areas children continue to be called on to assist families in farm work. In the capital, Tirana, there are a growing number of children working as street vendors.

TRADE UNION RIGHTS: The 1995 Labour Code formally introduced trade union pluralism and established a National Labour Council. Unions criticised lack of consultation on the new code, its failure to promote collective bargaining and the reduction of protection against anti-union discrimination.

Unions representing public sector employees, who have the right to strike (providing they are not political strikes), negotiate directly with the government. There have been claims of government interference in union affairs and some teachers have apparently experienced discrimination in employment, depending on which political party they supported.

EI's affiliate, SPASH, is a member of the Independent Confederation of Trade Unions of Albania. The Confederation of Trade Unions also represents some workers in schools.

SPASH organised protest rallies and one-hour strikes in mid May 1998 followed by a nationwide strike of school teachers on 26 May and a two day strike on 4 and 5 June. They were protesting at the refusal of the Albanian authorities to enter into a dialogue with the teachers' union representatives and they were seeking partnership, a wage increase and indexation of their wages against inflation. Punitive action, including fines, has been taken in some districts against the participants. Three dismissals were reported , two in Korca, one in Tirana.

EI member organisation:
Independent Trade Union of
Education of Albania
(SPASH)
Membership: 22,500

AUSTRIA - REPUBLIC OF AUSTRIA

Population: 8,054,078

Population < 25:	31.8%	Life Expectancy at birth:	73.7m 80.1f
Illiteracy:	Negligible	School Life Expectancy (years):	14.4m 14.2f
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	99%
Primary Pupil Teacher Ratio:	10	Tertiary students per 100,000 inhabitants:	2,933
% of GNP spent on education:	5.5%	% of Govt. expenditure on education:	10.2%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138	169

EDUCATION RIGHTS: Beginning at age six, nine years of education are compulsory for all children. The Government also provides free education at technical, vocational and university levels. Austria has an extensive system of special schools and adult education centres. In the early 1990s, 186,300 students were enrolled annually in technical, upper-level vocational or teacher training institutions. Austria has 18 university-level institutions (the largest of which is the university of Vienna), two technical universities, colleges of mining, agriculture, veterinary medicine, and commerce; and five academies of fine arts and music. Annual university enrolment in the early 1990s was nearly 206,000.

Austria has four minority communities - Croatian, Czech, Hungarian and Slovenian - for whom some mother tongue educational provision is made.

CHILD LABOUR: The minimum legal working age is 15 years. The law effectively is enforced by the Labour Inspectorate of the Ministry of Social Affairs. The Government has adopted laws and policies to protect children from exploitation in the work place.

TRADE UNION RIGHTS: Membership of unions is voluntary, but all wage earners are required by law to join their respective chambers of labour. Chambers are organised on a provincial basis and represent workers on legislative matters. Fifty-two percent of the work force was organised (in 1997) into 14 national unions, all belonging to the Austrian Trade Union Federation (ÖGB). Although the right to strike is not explicitly provided in the constitution or in national legislation, it is universally recognised. Historically, strikes have been comparatively few and usually of short duration. A major reason for the record of labour peace is the unofficial system of 'social partnership' among labour, management, and government. At the centre of the system is the Joint Parity Commission for wages and prices, which has an important voice on major economic questions. Labour and business representatives remain in longstanding disagreement over how to comply with the obligation under the ILO's Convention 98 to provide legal protection to employees against arbitrary dismissals in firms with five employees or fewer.

EI member organisation:
Gewerkschaft Öeffentlicher
Dienst/ Bundessektion
Pflichtschullehrer (GÖD)
Membership: 15,000*

*total membership is much higher but international affiliation is split.

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BELGIUM - KINGDOM OF BELGIUM

Population: 10,203,682

Population < 25:	N/A	**Life Expectancy at birth:**	73.9m/80.6f
Illiteracy:	under 1%	**School Life Expectancy (years):**	15.6m/15.4f
Net enrolment first level:	98%	**% of 1994 cohort reaching grade 5:**	N/A
Primary Pupil Teacher Ratio:	12	**Tertiary students per 100,000 inhabitants:**	3,206
% of GNP spent on education:	5.7%	**% of Govt. expenditure on education:**	10.2%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: The Government provides compulsory education up to the age of 18. Since 1959, the education system has included state secular schools and private Roman Catholic schools. Education is controlled by the linguistic communities - French, Flemish (Dutch), and German - and provides six years of primary and six of secondary education divided into three two-year stages. Belgium has nine large-scale universities, and a number of royal academies of fine arts and royal conservatories of music, and two state agricultural institutes. There is no limit on places available, and access to higher education is usually open.

CHILD LABOUR: The minimum age for employment of children is 15, but schooling is compulsory, at least part-time, through to the age of 18. Youths between the ages of 15 and 18 may participate in part-time work/study and may work full time during school vacations. There are no industries where significant child labour exists. However, Belgium is both a transit point and destination for trafficking in women and children. In addition to child prostitution, in 1996 a murderous paedophile/child pornography group was uncovered. In response to the public outcry the Government established a centre for missing and exploited children.

TRADE UNION RIGHTS: About 60 percent of workers are members of unions. Unions including those covering the public sector, have the right to strike. Collective bargaining agreements apply equally to union and non-union members. As part of the Government's global economic reform plan, wage increases in both private and public sectors remained suspended in 1997. The suspension did not affect Belgium's wage indexation policy, which permits an across-the-board wage increase to keep workers' pay level with inflation.

EI member organisations:
Algemene Centrale der
Openbare Diensten Sector
'Onderwijs'
(ACOD-Onderwijs)
Membership: 15,000

Centrale Générale
des Services Publics -
Enseignement
(FGTB-CGSP)
Membership: 5,000

BULGARIA - REPUBLIC OF BULGARIA

Population: 8,652,745

Population < 25:	33.4%	**Life Expectancy at birth:**	67.8m/ 74.9f
Illiteracy:	1.1%m/ 2.3%f	**School Life Expectancy (years):**	11.8m/ 12.9f
Net enrolment first level:	98%m /96%f	**% of 1994 cohort reaching grade 5:**	95%m/94%f
Primary Pupil Teacher Ratio:	17	**Tertiary students per 100,000 inhabitants:**	2,942
% of GNP spent on education:	4.2%	**% of Govt. expenditure on education:**	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓		✓	✓	

EDUCATION RIGHTS: Education is free and compulsory for children from the ages of six to 16, and about 85 percent of eligible students attend school. Students attend primary school for four years, basic (or middle) school for three years, and secondary school for three to five years, depending on the course of study. About 30 percent of students continue their education past the secondary level. There are more than 20 institutions of higher learning in Bulgaria, including the University of Sofia.

Ethnic Turks comprise about 10 percent of the population. Voluntary Turkish-language classes in public schools, funded by the Government, are held in areas with significant Turkish-speaking communities. There are currently 844 Turkish-language teachers for 64,000 children. There are credible allegations that the quality of education offered to Roma children is inferior to that afforded most other students. The Government has been largely unsuccessful, to date, in attracting and keeping many Roma children in school. They are heavily under-represented in lower secondary schools (still part of compulsory education) and even more so at the upper secondary level. An official report notes that most of the drop-outs and repetitions in primary and secondary education occur among Roma children. A pilot project, in conjunction with UNICEF, has been set up in six special state-run schools in Sofia to help Roma children at pre-school and primary levels build Bulgarian language skills, pride in Roma culture and positive identification with the influence of this culture on Bulgarian society. Some estimates put the Roma population in Bulgaria as high as six percent.

The severe economic difficulties experienced in the transition to a market economy have greatly constrained education funding. Public expenditure on education declined by nearly 75 percent during the 1990s.

CHILD LABOUR: The Labour Code sets the minimum age for employment at 16 years; the minimum age for dangerous work is set at 18 years. Since children are not permitted to work, and the Constitution forbids forced or compulsory labour for all, forced and bonded labour by children is also forbidden by law. However, child labour is increasing. Reports of such practices emerged during 1997.

The Bulgarian Helsinki Committee reported in December that the Slavovitsa Labour Educational School employs forced child labour to produce articles sold in domestic and international markets. According to the report, minors are used as prison labourers for agricultural and industrial tasks as well.

Child labour laws are enforced well in the formal sector, but at least one child protection group believes that children are increasingly exploited in certain industries (especially small family-owned shops, construction, and periodic sales) and by organised crime (notably for prostitution and distribution of narcotics). According to the ILO, to date no violators of child labour laws have been fined or imprisoned. Underage employment in the informal and agricultural sectors is increasing as collective farms are broken up and the private sector continues to grow. In addition, children work on family-owned tobacco farms.

TRADE UNION RIGHTS: The 1991 Constitution provides for the right of all workers to form or join trade unions of their choice. The 1992 Labour Code instituted collective bargaining and recognised the right to strike except for key public sector unions. The prohibition does not cover teachers.

Political strikes are forbidden. Trade unions are banned from engaging in political activities and can be dissolved if they promote political aims. Nevertheless in January and February 1997 in response to the desperate economic situation, this prohibition was widely ignored when workers across the country from a variety of industries joined with students and then-opposition parties in massive general strikes that brought much of the country's economic activity to a halt. The strikes ended when agreement was reached on 4 February to hold early parliamentary elections in April.

Teachers, after a period of non-payment of wages, are, in May 1998, receiving a regular but very low salary and many are forced to take on other work to survive.

EI member organisations:
Syndicat des Enseignants Bulgares (SEB)
Membership: 82,000

Syndicat des Enseignants 'Podkrepa' (SE)
Membership: 10,000

CROATIA - REPUBLIC OF CROATIA

Population: 5,026,995

Population < 25:	N/A	Life Expectancy at birth:	68.1m / 76.5f
Illiteracy:	1.8%m 2.9%f	School Life Expectancy (years):	11.5m / 11.7f
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	98%
Primary Pupil Teacher Ratio:	20	Tertiary students per 100,000 inhabitants:	1,917
% of GNP spent on education:	5.3%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Education is compulsory up to the age of 14; the majority of students continues to age 18, and no significant sectors or groups are excluded. Primary schooling is compulsory, free and universal. Schools provide free meals for children. Day care facilities are available in most communities even for infants. The republic has four universities and three polytechnic institutes. In September 1997 the Government adopted, despite opposition, legislation regulating minority language education. Opponents deemed the law, which the Ministry of Education claimed incorporated all recommendations made by the Council of Europe, restrictive.

In 1996 internally displaced and refugee children represented 11 percent of all primary school pupils. Substantial efforts have been made to include these children in the normal educational system, and this has been achieved in the majority of cases. The pressure on schools varies enormously across the country, being greatest in Vinkovci where 20 percent of pupils are refugees or have been internally displaced.

The education system in Eastern Slavonia was reintegrated with the rest of Croatia and the Serb-majority schools agreed upon a curriculum in time for the 1997-98 school year. The agreement incorporated Serbian history and other subjects into the main Croatian curriculum and established that the Serbian language would be taught during extra-curricula hours. Discrimination against ethnic Serbs, the Muslim community and Roma remains widespread.

CHILD LABOUR: The minimum age for the employment of children is 15 years of age, and it is enforced by the Ministry of Labour and Social Welfare. Under the constitution, children may not be employed before reaching the legally determined age, may not perform forced or bonded labour, and are not allowed to perform work that is harmful to their health or morality. Workers under the age of 18 are entitled to special protection and may not be employed for heavy manual work or on night shifts. There is no known pattern of abuse of child labour.

TRADE UNION RIGHTS: Workers are entitled to form or join unions of their choosing. There have been a number of cases of unionists being intimidated or dismissed for their union activities. EI affiliate Sindiat Hrvatskih Ucitelja (Croatian Teachers Union - CTU) has reported apparent efforts by local authorities to intimidate and discriminate against their members in primary schools.

High levels of unemployment have made effective union organisation difficult. International observers and unions estimate that actual unemployment could be between 25 to 30 percent, and possibly as high as 80 to 90 percent in the former occupied areas of the country, where the economy is virtually at a standstill.

Civil servants and public sector workers are not allowed to strike. The Supreme Court has ruled that workers may not strike for non-payment of wages, which continues to be a serious problem.

Collective bargaining is provided for in the law. Despite the removal on 1 January 1997 of a Government imposed public sector wage freeze, overall wage increases have been minimal. The experience of EI member organisations has been one of the government failing to provide in the Annual State Budget for the settlements negotiated through the collective bargaining process. In 1997 legal enforcement of the negotiated agreement was sought. The Courts ruled that the Annual State Budget over-rode the Basic Collective Agreement for Public Servants. A strike against such a legal ruling would be illegal.

EI member organisations:
The Croatian Teachers' Union (CTU)
Membership: 25,000

Independent Trade Union of Workers in Secondary Education of Croatia (ITUWEC)
Membership: 17,000

Independent Union of Research and Higher Education Employees of Croatia (IURHEEC)
Membership: 8,062

Trade Union of Kindergarten, Elementary and High School Employees of Croatia (TUKEHSEC)
Membership: 2,100

Trade Union of Workers in Pre-School Education in Croatia (TUWPSEC)
Membership: 10,000

CYPRUS - REPUBLIC OF CYPRUS

Population: 752,808

Cyprus is a divided island. The 'Turkish Republic of Northern Cyprus' is recognised only by **Turkey**. So it can not be assumed that the following statistics apply to the Turkish Cypriot community. The table of Convention Ratification concerns actions taken by the Government of the Republic of **Cyprus**.

Population < 25:	39.7%	**Life Expectancy at birth:**	75.4m/79.8f
Illiteracy:	N/A	**School Life Expectancy (years):**	N/A
Net enrolment first level:	96%	**% of 1994 cohort reaching grade 5:**	100%
Primary Pupil Teacher Ratio:	19	**Tertiary students per 100,000 inhabitants:**	1,191
% of GNP spent on education:	4.4%	**% of Govt. expenditure on education:**	13.8%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Separate educational systems are maintained by the Greek-speaking and Turkish-speaking communities. Greek Cypriot education is administered by the Ministry of Education. Six years of elementary education are free and compulsory for all children between the ages of five and 11, and six years of secondary education is provided. Higher education is provided by the University of Cyprus and by teacher-training, technical and vocational schools.

At present in the Turkish Cypriot sector, three schools are providing education for 39 remaining Greek Cypriot students. There are problems over the right to use certain Greek texts and there is concern about the replacement of existing teachers when they retire. No provision is made for secondary education for Greek Cypriot students in the Turkish sector. Students must therefore leave their homes to continue their education and move to the Greek Cypriot sector. Young Greek Cypriots who move from the Turkish Cypriot sector for secondary education cannot return to their homes after the age of 15 years except for an occasional visit for holidays for example.

There are no Turkish Cypriot schools in the Greek Cypriot sector. The Greek Cypriots say there are not sufficient numbers to require schools. This is disputed by some Turkish Cypriots. The Turkish Cypriots students are sent to private English schools with their fees paid by the Government of the Republic of Cyprus.

CHILD LABOUR: In both communities, the minimum age for employment of children in an 'industrial undertaking' is 16 years of age. Turkish

Cypriots may be employed in apprentice positions at the age of 15. There are labour inspectors in both communities. However, in family-run shops it is common to see younger children working after school, and according to press reports, children as young as 11 or 12 years work in factories or orchards during their school holidays in the Turkish Cypriot community.

TRADE UNION RIGHTS: More than 82 percent of the Greek Cypriot work force belongs to independent trade unions. Approximately 50 to 60 percent of Turkish Cypriot private sector workers and all public sector workers belong to trade unions. In both communities, trade unions freely and regularly take stands on public policy issues. All workers have the right to strike, and trade unions and confederations by law are free to organise and bargain collectively throughout Cyprus. Most wages and benefits are set by freely negotiated collective agreements. However, Greek Cypriot collective bargaining agreements are not legally binding. In the Turkish Cypriot community, where inflation exceeded 80 percent during 1997, wage levels are reviewed twice a year for private sector workers and six times a year for public sector workers, and a corresponding cost-of-living raise is established. As in the Greek community, parties to a dispute may request mediation by the authorities.

EI's Greek Cypriot affiliates are greatly concerned that while they represent the teachers in the Greek Cypriot schools in the northern sector, they cannot visit the schools and meet their members there.

EI member organisations:
Cyprus Turkish Secondary Teachers' Education Union (KTOEOS)
Membership: 1,300

Cyprus Turkish Teachers' Trade Union (KTOS)
Membership: 1,150

Organisation of Secondary School Teachers of Cyprus (OELMEK)
Membership: 3,013

Association of Teachers of Technical Education Cyprus (OLTEK)
Membership: 400

Cyprus Greek Teachers' Organisation (POED)
Membership: 3,010

CZECH REPUBLIC - Population: 10,318,958

Population < 25:	36.9%	**Life Expectancy at birth:**	69.8m/ 76f
Illiteracy: Negligible, except among the Roma		**School Life Expectancy (years):**	13.1
Net enrolment first level:	98%	**% of 1994 cohort reaching grade 5:**	100%
Primary Pupil Teacher Ratio:	20	**Tertiary students per 100,000 inhabitants:**	1,739
% of GNP spent on education:	6.1%	**% of Govt. expenditure on education:**	16.9%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Education is compulsory from six through 15 years of age, when students attend basic school. After the completion of this stage, most students continue their education at a general secondary school (lower gymnasia) or a vocational school, both of which offer four year or shorter programmes. In 1990 the establishment of private and religious schools was legalised. Although most schools in the Czech Republic are still state controlled, there are now more than 50 private elementary schools and more than 200 private secondary schools. Higher education is free but fees are charged to students who repeat a year. The percentage of GNP devoted to education has dropped from 6.1% in 1995 to 4.2% in 1998 and the percentage of Government expenditure to 14% in 1998.

The integration of Roma children into mainstream schools is frequently impeded by language and cultural barriers. According to the most recent available study less than 20 percent of the self-identified Roma population had completed elementary school and less than five percent had completed high school. These statistics provide only a rough guide since a large majority of Roma do not identify themselves at census time. A significant number of Roma children are taken from mainstream schools at an early age and enrolled in 'special schools' for the mentally disabled and socially maladjusted. Some commentators suggest this occurs to some extent because they are not able to communicate sufficiently well in the language of instruction in normal schools. Roma children make up over 60 percent of pupils in these schools, although Roma comprise only two to three percent of the Republic's population. A government project to foster Roma integration into mainstream education includes training ethnic Roma teaching-assistants for pre-school public schools. Polish and Slovak minorities also receive education in their mother tongue.

CHILD LABOUR: The Labour Code stipulates a minimum working age of 15 years, although children who have completed courses at the 'special schools' may work at age 14.

TRADE UNION RIGHTS: The law provides workers with the right to form and join unions of their own choosing and this right is respected by government.

Most workers are members of unions affiliated with the Czech-Moravian Confederation of Trade Unions (CMKOS), a nation-wide umbrella organisation. It is not affiliated with any political party and carefully maintains its independence. The law requires that labour disputes be subject first to mediation and that strikes take place only after mediation efforts fail.

The scope for collective bargaining is limited in the government sector, where wages are regulated by law and it is not possible to bargain collectively for salaries and working conditions in the public service.

In April 1997, 65,000 teachers staged a rolling strike calling for higher pay. The Government and the striking teachers agreed to a slight raise in pay and a longer working week. However, state budget restrictions and the dismissal of 9,000 teachers did not result in significant salary increases. CMOS-PS submitted a complaint to the Constitutional Court and a representation to the ILO.

EI member organisations:
Czech and Moravian Trade Union of Workers in Education (CMOS-PS)
Membership: 104,510

Trade Union of Workers in Science and Research (TUWSR)
Membership: 3,592

DENMARK – KINGDOM OF DENMARK

Population: 5,268,775

SELF GOVERNING ENTITIES: Greenland (Kalaallit Nunaat) Population: 58,768. [Granted Home Rule 1979] **Faroe Islands Population:** 43,057 [See EI membership below]

Population < 25:	35.6%	Life Expectancy at birth:	73m /78.3f:
Illiteracy:	negligible	School Life Expectancy (years):	14.5m/14.8f
Net enrolment first level:	98%m/99%f	% of 1994 cohort reaching grade 5:	100%
Primary Pupil Teacher Ratio:	10	Tertiary students per 100,000 inhabitants:	3,272
% of GNP spent on education:	8.3%	% of Govt. expenditure on education:	12.6%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138 ✓	169 ✓

EDUCATION RIGHTS: Elementary education has been compulsory since 1814 and is, for the most part, free. All children must attend school from age seven to 14. Seventy-five percent of four-year-olds participate in early childhood services and there are pre-primary classes for six-year-olds. Primary education consists of a nine-year comprehensive school; all students may continue school through the tenth year and gifted students are encouraged to continue their studies. Denmark's adult literacy rate is nearly 100 per cent. In the early 1990s Denmark had 2127 primary and lower secondary schools, with a total annual enrolment of more than 613,000 students. There were some 360 folk high schools, agricultural schools, home economics schools and other specialised high schools and vocational schools with a total enrolment of 223,000. Many of the schools are private, but the state contributes to their support.

Denmark has a small German minority for whom German schools, curricula and teachers are provided through an agreement with the German government which reciprocates by allowing equivalent Danish provision for the Danish community within its borders.

Education in Greenland/Kalaallit Nunaat is provided to the indigenous population in both Inuit and the Danish languages.

In the Faroe Islands, education provision is entirely controlled locally and instruction is in the Indigenous language. Danish is taught as a foreign language.

CHILD LABOUR: The minimum age for full-time employment is 15 years. This is effectively enforced.

TRADE UNION RIGHTS: Eighty percent of wage earners belong to unions. Collective bargaining is protected by law and is widespread in practice. All unions except those representing civil servants or the military have the right to strike.

Until 1993 teachers were deemed to be civil servants. Then the right to negotiate employment conditions was transferred from the Danish state to local authorities and future employees were to be employed on collective agreement terms. Currently 13,000 out of 50,000 teachers are employed on a collective contract basis. Terms and conditions of employment for both groups are the same.

The Danish Union of Teachers (DLF) was fined in January 1997 after organising a boycott by all teachers of positions held by striking teachers covered by collective contracts. The DLF has lodged a compliant to the ILO against the Danish Government for violation of Conventions 87 and 98.

In March 1998 the DLF placed a ban on teaching positions in Greenland. The ban was lifted on 18 May 1998 following intensive discussions between the DLF and the Greenland Homerule Government.

EI member organisations:
The Danish Union of Teachers (DLF)
Membership: 60,369

Dansk Magisterforening (DM)
Membership: 5,845

The Danish National Federation of Early Childhood and Youth Education (BUPL)
Membership: 39,276

Danish Federation of Teachers of Technical Education (DTL)
Membership: 4,737

Laererforening Gymnasieskolernes (GL)
Membership: 10,551

Landsforbundet af Voksen-og Ungdomundervisere (LVU)
Membership: 6,344

Union of Teachers in Vocational Education (LVA)
Membership: 10,551

Faroe Islands
Foroya Laerarafelag
Membership: 710

ESTONIA - REPUBLIC OF ESTONIA

Population: 1,444,721

Population < 25:	34.9%	Life Expectancy at birth:	63.9m /75f
Illiteracy:	Negligible	School Life Expectancy (years):	12.2m/12.9f
Net enrolment first level:	93%m/94%f	% of 1994 cohort reaching grade 5:	99%
Primary Pupil Teacher Ratio:	17	Tertiary students per 100,000 inhabitants:	2,670
% of GNP spent on education:	6.9%	% of Govt. expenditure on education:	25.5%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓			

EDUCATION RIGHTS: Education is compulsory between the ages of seven and 16. A strong commitment to education is evidenced by the high priority given to building and refurbishing schools. Ethnic Russians make up 29 percent of the population and non-ethnic Estonians as a whole, 37 percent.

CHILD LABOUR: The statutory minimum for employment is 16 years of age. Minors 13 to 15 years of age work with written permission of a parent or guardian and the local labour inspector, if working is not dangerous to the minor's health or considered immoral, does not interfere with studies, and if the type of work is approved. Finnish press reports alleged large-scale child prostitution in Estonia. The Government called these reports exaggerated but admitted that underage prostitution occurs.

TRADE UNION RIGHTS: The right to form and join unions and the right to strike are legal. While Estonian workers now have a legal right to bargain collectively, collective bargaining is still in its infancy. Two thousand teachers from some 70 schools participated in a one-day strike in May 1997 to protest against low wages.

EI member organisations:
Estonian Educational Personalities' Union (EEPU)
Membership: 25,525

Federation of Estonian Universities (UNIVERSITAS)
Membership: 3,057

UNTAIN
VENTURE

FINLAND – REPUBLIC OF FINLAND

Population: 5,109,148

Population < 25:	31.6%	Life Expectancy at birth:	73 m / 80.1f
Illiteracy:	Negligible	School Life Expectancy (years):	15 m /16f
Net enrolment first level:	99%	% of 1994 cohort reaching grade 5:	100%
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	4,033
% of GNP spent on education:	7.6%	% of Govt. expenditure on education:	11.9%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Schooling is free and compulsory between the ages of seven and 16 - it consists of six years of primary schooling and three years of secondary. In 1991, 394,300 children attended some 4,230 primary schools and about 315,700 students went to 1100 general secondary schools. Finland also maintains a system of secondary vocational education with schools of commerce, arts and crafts, domestic science, trade, agriculture and technology; some 123,300 students attended such programmes in 1991. Finnish institutes of higher learning include 13 universities. Finland has an extensive adult education programme consisting of folk high schools, folk academies, and workers' institutes. Adult education schools are operated privately or by municipalities or provinces and receive state subsidies.

Ninety-four percent of the population speaks Finnish as their mother tongue and 6% Swedish. Finnish citizens are entitled to receive public services, including education, in one of the two official languages. Saami speakers, about 0.03% of the population, are also entitled to education in their mother tongue.

CHILD LABOUR: Youths under 16 years of age cannot work more than 6 hours a day or at night. The Labour Ministry enforces child labour regulations. There are virtually no complaints of exploitation of children in the work force.

TRADE UNION RIGHTS: Workers are entitled to form and join unions and to strike. About 87 percent of the work force is unionised. The law grants public sector employees the right to strike.

Within the education sector, 94 percent of teachers are employed as municipal civil servants. Upper secondary school teachers are local government officials. Following a period of economic recession, the decentralisation of responsibility for schooling to the municipal authorities has led to teachers being temporarily laid off in order to save funds to enable the municipality concerned to balance its budget. EI affiliate Opetusalan Ammattijarjesto (OAJ) has campaigned against the practice and expressed concern that funds intended for education are being diverted to other uses. The central government has also objected. As well as reducing teachers income, the practice is highly disruptive of quality education.

EI member organisations:
Finnish Union of University
Researchers and Teachers
(FUURT)
Membership: 5,400

Opetusalan Ammattijärjestö
(OAJ)
Membership: 87,217

FRANCE - FRENCH REPUBLIC

Population: 58,040,023

RESPONSIBILITIES: Overseas Departments - French Guiana (Pop. 156,946), Guadeloupe (Pop.412,614), Martinique (Pop.403,531), Reunion (Pop. 692,204): Overseas Territorial Collectivities - Mayotte (Pop.104,714), St Pierre & Miquelon (Pop. 6,862): Overseas Territories - French Polynesia (Pop. 233,488), Wallis & Futuna (Pop. 14,817). See also: New Caledonia & Dependencies. Statistics applicable only to the French Republic on continental Europe.

Population < 25:	32.8%	Life Expectancy at birth:	74.6m/82.9f
Illiteracy:	Negligible in France, but significant in some Overseas Territories	School Life Expectancy (years):	15.2m/15.6f
Net enrolment first level:	99%	% of 1994 cohort reaching grade 5:	99%
Primary Pupil Teacher Ratio:	19	Tertiary students per 100,000 inhabitants:	3,617
% of GNP spent on education:	5.9%	% of Govt. expenditure on education:	10.8%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138 ✓	169

EDUCATION RIGHTS: School attendance is compulsory until age 16. For administrative purposes the country is divided into 27 educational districts (academies). In the early 1990s some 4.1 million pupils annually attended about 42,200 elementary schools, and about 5.5 million students attended some 11,300 secondary schools. Approximately 1.8 million students were enrolled in higher education in the early 1990s when several of the large universities were restructured into smaller units and the number of French universities increased from 23 to more than 70. Debate continues over whether to deny some Muslim girls the right to wear head-scarves in public schools.

The influence of the extreme right, National Front, reached the education sector during 1997 when the NF Mayor of Marignane and his Council halted subsidies on public school lunches that did not include pork, thereby penalising Muslim and Jewish students.

There are a number of local languages, including Breton, Basque, Catalan, Corsican and Occitan, which may be taught as a foreign language. However parents seeking full schooling in one of these languages have to opt for a private school. Provision has been made for the German speaking community in Alsace.

CHILD LABOUR: Children under the age of 16 may not be employed excepting for those enrolled in certain apprenticeship programmes and in the entertainment industry. Those aged under 18 may not be employed in arduous work or any work between the hours of 10 p.m. and 5 a.m. The laws prohibiting child labour are effectively enforced by labour inspectors.

TRADE UNION RIGHTS: Although only about 10 percent of the work force are unionised trade unions exercise significant economic and political influence. Minimum wages are established by Government decree, but pay scales are determined by collective bargaining.

EI member organisations:
Fédération de l'Education Nationale (FEN)
Membership: 170,450

Fédération Formation et Enseignement Privés (FEP-CFDT)
Membership: 8,000

Fédération Nationale de l'Enseignement, de la Culture et de la Formation Professionnelle Force Ouvrière (FNEC.FP-FO)
Membership: 5,100

Fédération des Syndicats Généraux de l'Education Nationale et de la Recherche (SGEN-CFDT)
Membership: 32,000

Syndicat National des Chercheurs Scientifiques (SNCS)
Membership: 1,450

Syndicat National de l'Education Physique (SNEP)
Membership: 6,000

Syndicat National des Enseignements de Second Degré (SNES)
Membership: 83,500

Syndicat National de l'Enseignement Technique (SNETAA)
Membership: 13,000

Syndicat National de l'Enseignement Technique Agricole Public (SNETAP-FSU)
Membership: 3,800

Syndicat National Unitaire des Instituteurs, Professeurs des Ecoles et PEGC (SNUipp)
Membership: 35,000

GERMANY - FEDERAL REPUBLIC OF GERMANY

Population: 84, 068,216

Population < 25:	30.8%	Life Expectancy at birth:	73.4m/ 79.9f
Illiteracy:	Negligible	School Life Expectancy (years):	15.4m/14.8f
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	99%
Primary Pupil Teacher Ratio:	18	Tertiary students per 100,000 inhabitants:	2,649
% of GNP spent on education:	4.7%	% of Govt. expenditure on education:	9.4%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Schooling is compulsory until the age of 16, and free between the ages of six and 18. Although education is controlled by the individual state governments, national coordinating groups ensure that school systems and requirements are roughly the same throughout. Children begin their education with four years at a Grundschule (primary school). On completion of the Grundschule at about the age of ten, students are given extensive tests, the results of which largely determine their subsequent schooling. Almost half the students go on to a Hauptschule for five years. They then undertake a three-year vocational training programme, which includes on-the-job experience plus classroom instruction at a Berufsschule (vocational school). Approximately one-fifth of the children who finish the Grundschule attends a Realschule, where they take a six-year course emphasising commercial and business subjects. After the Realschule these students may enter a two-year vocational college (Fachoberschule). About one in four students enters a Gymnasium after the Grundschule. The Gymnasium offers a rigorous nine-year programme that culminates with examinations for the Abitor (diploma), which is necessary for university entrance. Under reforms launched in the 1970s, the rigid distinctions between the three types of secondary schooling were loosened, and some students were permitted to change from one kind of school to another during the course of their education. Such mid-course changes were easiest at the small but growing number of comprehensive schools, which offered all three programmes - vocational, commercial and academic. Schools of continuing education for adults, such as the many Volkshochschulen (people's universities), offer a variety of courses and have some programmes leading to diplomas.

There is some provision for mother-tongue schooling for Danish, Freisian and Serb communities. In the Danish case there are reciprocal arrangements for the German community within Danish borders. Germany also has a very large immigrant and refugee population which presents particular challenges to the education system.

CHILD LABOUR: Federal law generally prohibits employment of children under the age of 15, with a few exceptions. Those aged 13 and 14 may do farm work for up to three hours per day or may deliver newspapers for up to two hours per day; those 13 to 14 years of age may take part in cultural performances, under controlled conditions.

TRADE UNION RIGHTS: Public servants who have civil service status (which includes most teachers) cannot go on strike, irrespective of the function they exercise and the sector to which they belong. This restriction has been criticised by the ILO Committee of Experts since 1959, as well as by the ILO Committee on Freedom of Association. They have asked the Government to ensure full implementation of the rights recognised by Convention 87, including the right to strike. The Committee on Freedom of Association has also asked the Government to ensure that teachers with civil service status have the right to bargain collectively.

EI member organisations:
Bundesverband der Lehrer
und Lehrerinnen an
Beruflichen Schulen (BLBS)
Membership: 12,000

Gewerkschaft Erziehung und
Wissenschaft (GEW)
Membership: 231,137

Verband Bildung und
Erziehung (VBE)
Membership: 90,000

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GREECE - HELLENIC REPUBLIC

Population: 10,583,126

Population < 25:	31.3%	Life Expectancy at birth:	75.5m/80.6f
Illiteracy:	1.7%m/4.7%f	School Life Expectancy (years):	13.9m/13.6f
Net enrolment first level:	99%	% of 1994 cohort reaching grade 5:	99.5%
Primary Pupil Teacher Ratio:	16	Tertiary students per 100,000 inhabitants:	2,858
% of GNP spent on education:	3.7%	% of Govt. expenditure on education:	9.9%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138 ✓	169

EDUCATION RIGHTS: Education is free and compulsory for all children between the ages of six and 15. In 1995 the illiteracy rate was about three percent. All villages and towns have primary schools, and many have secondary schools. In the early 1990s some 13,230 pre-primary and primary schools had a combined annual enrolment of about 843,730 pupils. There are approximately 3470 secondary and vocational schools. Greece has nine universities.

For several years leaders of the Jewish community have lobbied the Government to delete anti-Semitic references from public school textbooks. The Ministry of Education and Religion agreed to delete such references as new editions were published: so far only one of the six anti-Semitic references identified by a government committee has been deleted.

Most of the Muslim minority (officially estimated at 120,000) is ethnically Turkish or Turcophone and lives in Western Thrace. Many Greek Muslims identify with a Turkish cultural consciousness. While use of the term 'tourkos' ('Turk') is prohibited in titles of organisations, individuals may legally address themselves as tourkos. In June 1997 a group of Muslim teachers were each sentenced to 8 months imprisonment for using the term 'Turkish teachers of Western Thrace' in signing a union document. Their sentences were suspended pending appeal. The Treaty of Lausanne provides that the Muslim minority has the right to Turkish language education, with a reciprocal entitlement for the small Greek community in Istanbul. Western Thrace has both Koranic and secular Turkish-language schools. More than 9,000 Muslim children attended Turkish-language primary schools, and approximately 650 attended Turkish-language secondary schools in 1997. Outside of Thrace the government argues that Muslims are not covered by the Treaty of Lausanne, and it provides no special language schooling.

CHILD LABOUR: The minimum age for employment in the industrial sector is 15, with higher limits for certain activities. The minimum age is 12 for employment in family businesses, theatres, and the cinema, families in agriculture, food services and merchandising. But even this law is not respected and often such concerns have family members under the age of 12 assisting them, at least part-time. Reports exist of child labour in the tannery sector. In recent years, the number of street children who sell or offer their services at city intersections on behalf of adult family members or for criminal gangs has increased. Child prostitution is a growing phenomenon, particularly in some parts of central Athens.

TRADE UNION RIGHTS: The Constitution and legislation provide for freedom of association. All workers with the exception of the military have the right to form and join unions. There are certain restrictions on the right to strike such as mandatory periods of notice. The right to organise and collective bargaining is respected in the private and public sectors.

In June 1998 violence erupted at rallies to protest changes to the regulations covering part-time teachers eligibility for full-time positions.

EI member organisations:
Greek Primary Teachers' Federation (DOE)
Membership: 43,000

Federation of Secondary School Teachers of Greece (OLME)
Membership: 3,800

HUNGARY - REPUBLIC OF HUNGARY

Population: 9,935,774

Population < 25:	33.6%	Life Expectancy at birth:	64.5m/73.8f
Illiteracy:	0.7%m/1%f	School Life Expectancy (years):	12.3m/12.6f
Net enrolment first level:	92%m/94%f	% of 1994 cohort reaching grade 5:	98%
Primary Pupil Teacher Ratio:	11	Tertiary students per 100,000 inhabitants:	1,514
% of GNP spent on education:	6.6%	% of Govt. expenditure on education:	6.9%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Schooling is compulsory for all children in Hungary between the ages of six and 16. About 99 percent of the adult population of Hungary are literate. Primary education is free, and the government pays the bulk of the cost of secondary and higher education. The education system consists of general, or primary, schools, which comprise the first eight grades; secondary grammar schools for academic work; technical schools, and institutions of higher learning. Emphasis is placed on vocational training and on education in technical subjects. There are about 77 institutions of higher education in Hungary, including 10 universities and nine technical universities. Enrolments at tertiary level have increased from 14 percent in 1989 to 21 percent in 1996. A number of colleges specialise in vocational training (including teacher training), technical education and agriculture.

Roma constitute at least four percent of the population; Germans, the second largest minority group, constitute about two percent. Smaller communities of Slovaks, Croats, Romanians, Poles, Greeks, Serbs, Slovenes, Armenians, Ruthenians and Bulgarians, are all recognised as minorities. Education is available to varying degrees in almost all minority languages. Roma continue to suffer widespread discrimination, not least in education. Discrimination in education was highlighted when the town of Tiszavasvari held separate graduation celebrations in June 1997 for Roma and non-Roma high school students. Local authorities segregated Roma students in a separate school from non-Roma for 12 years because, local officials allege, they carried lice and had proportionately more learning disabilities. Local officials deny any discrimination. The Government criticised the local authorities, but have taken no steps to correct the situation. Roma schools are more crowded and in markedly poorer condition than those attended by non-Roma. The Helsinki Committee found that there are 132 similarly segregated schools throughout the country.

CHILD LABOUR: The Labour Code forbids labour by children under the age of 14, and regulates labour conditions for minors (14 to 16 years of age), including prohibitions on night shifts and hard physical labour and guaranteed overtime payments. The National Labour Centre enforces these regulations in practice, and there does not appear to be any significant abuse of this statute. Education is compulsory until the age of 16 - Roma are far more likely than non-Roma to stop attending school before age 16.

TRADE UNION RIGHTS: In 1992 a labour code was enacted which recognised the right of workers to associate freely and to organise and bargain collectively. With the exception of the military and the police, workers also have the right to go on strike. Following the introduction of this code, the number of strikes in Hungary increased dramatically; most were of short duration, however. Violations of trade union rights at the workplace level increased in 1996. A new law was introduced during the year, improving labour inspection and increasing fines for employers who did not comply with labour regulations.

EI member organisations:
Trade Union of Employees in
Higher Education (FDSZ)
Membership: 8,618

Teachers' Democratic Union
of Hungary (PDSZ)
Membership: 7,307

Syndicat des Enseignants de
Hongrie (SEH)
Membership: 203,000

Democratic Trade Union of
Scientific Workers (TDDSZ)
Membership: 3,000

ICELAND - REPUBLIC OF ICELAND

Population: 272,550

Population < 25:	N/A	Life Expectancy at birth:	77.4m 81.2f
Illiteracy:	Negligible	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	2,808
% of GNP spent on education:	5%	% of Govt. expenditure on education:	12%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: The law requires children to attend school until the age of 16. About 85 percent of students continue beyond the 10th grade. Upper secondary school education is financed completely by the State. The leading institution of higher education is the University of Iceland, in Reykjavik. The country also has a technical college and colleges of agriculture and music as well as teacher-training schools.

CHILD LABOUR: Children under the age of 16 are prohibited from working in factories, on ships, or in other places that are hazardous or require hard labour. Children of 14 or 15 years old may be employed part-time or during school vacations in light, nonhazardous work. Their work hours must not exceed the ordinary work hours of adults in the same occupation. The Occupational Safety and Health Administration effectively enforces child labour regulations.

TRADE UNION RIGHTS: Workers make extensive use of the right to establish organisations, draw up their own constitutions and rules, choose their own leaders and policies, and publicise their views. The resulting organisations are controlled neither by the Government nor by any single political party. Unions take an active part in Nordic, European, and international trade union bodies. With the exception of limited categories of workers in the public sector whose services are essential to public health or safety, unions have had and used the right to strike for many years. Some 76 percent of all eligible workers belong to unions. Virtually all unions exercise their right to bargain collectively.

In 1996 Parliament passed legislation updating the labour laws and bringing them into compliance with the European human rights convention.

EI member organisations:
Felag Islenskra Leikskolakennara (FIL)
Membership: 1,106

Hid Islenska Kennarafelag (HIK)
Membership: 1,207

Kennarasamband Islands (KI)
Membership: 4,050

IRELAND – REPUBLIC OF IRELAND

Population: 3,555,500

Population < 25:	46.8%	Life Expectancy at birth:	74m/79.4f
Illiteracy:	negligible	School Life Expectancy (years):	13.5m/ 13.8f
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	100%
Primary Pupil Teacher Ratio:	23	Tertiary students per 100,000 inhabitants:	3,455
% of GNP spent on education:	6.3%	% of Govt. expenditure on education:	13.2%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓		✓	

EDUCATION RIGHTS: Education is compulsory for children of six to 15 years of age. There is no state religion but many primary and secondary schools are denominational, managed and controlled by the Roman Catholic Church (there are provisions for parents to exempt their children from religious instruction). There are some 3,440 elementary schools and more than 450 secondary schools. There are universities in Dublin (2), Cork, Limerick and Galway. Ireland also has several state-subsidised training colleges, various technical institutes, and a network of winter classes that provide agricultural instruction for rural inhabitants. The Irish language is part of the curriculum in all government-subsidised schools, but fewer than 10,000 pupils speak it as their first language.

Travellers, a 25,000 strong itinerant community, roughly analogous to the Roma, are widely discriminated against and despite national school rules that provide that no child may be refused admission on account of social position, Travellers frequently experience difficulty enrolling their children. There are specific all Travellers centres and all Travellers classes in schools. In many cases Travellers seek their own education centres. EI affiliates INTO, ASTI and TUI have been active in the development of provisions designed to make education more accessible and schools more welcoming for Travellers.

CHILD LABOUR: Under the terms of the Protection of Young Persons Act, effective 1997, employers may not employ those under 16 in a regular full time job. Employers may hire 14 or 15 year olds for light work in school holidays, as part of an approved work experience or educational programme, or on a part-time basis during the school year (for children over the age of 15 only). The Act gives effect to international rules drawn up by ILO and the EU.

TRADE UNION RIGHTS: Approximately 50% of the work force are members of unions affiliated with the Irish Congress of Trade Unions. Amongst teachers the unionisation rate is 90 percent. Most terms and conditions of employment are determined through collective bargaining, in the context of a national economic pact, negotiated every three years by the 'social partners' (unions, employers, farmers and government). A three-year agreement drawn up in 1996, remains in effect.

EI member organisations:
Association of Secondary Teachers (ASTI)
Membership: 14,500

Irish Federation of University Teachers (IFUT)
Membership: 1,320

Irish National Teachers' Organisation (INTO)
Membership: 25,939

Teachers' Union of Ireland (TUI)
Membership: 7,500

ISRAEL - THE STATE OF ISRAEL

Population: 5,534,672

And the OCCUPIED TERRITORIES. As a result of the 1967 War, Israel occupied the West Bank, the Gaza Strip, East Jerusalem, and the Golan Heights. The international community does not recognise Israel's sovereignty over any part of the territories. Statistics apply only to the state of Israel.

Population < 25:	53%	Life Expectancy at birth:	75.7m/79.5f
Illiteracy:	negligible	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	100%
Primary Pupil Teacher Ratio:	16	Tertiary students per 100,000 inhabitants:	3,598
% of GNP spent on education:	6.6%	% of Govt. expenditure on education:	12.3%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138 ✓	169

EDUCATION RIGHTS: Education is compulsory to the age of 15, or until the child reaches the 10th grade, whichever comes first. Students in secondary schools receive aid from state and local authorities in amounts up to 100 percent of costs, depending on parents' incomes. About 960,000 children attend early childhood and primary schools, about 164,000 attend intermediate schools, and about 274,000 are enrolled in general secondary schools. In addition about 122,000 students attended vocational schools. 97,000 are enrolled in institutions of higher education. In addition to the secular system of primary, secondary and higher education, a parallel system of Jewish religious schools exists. An education problem peculiar to Israel is that of assisting Jewish immigrants of various backgrounds to adjust to Israeli society.

Israel's heavy reliance on foreign workers, principally from Asia and Eastern Europe, represents a growing economic and social issue: many children of foreign workers are in the country illegally.

Arab children make up a quarter of Israel's public school population, but government resources for them are not equal to those for Jewish children. Relative to their numbers, Israeli Arabs (19 percent of the population) are underrepresented in the student bodies and faculties of most universities.

CHILD LABOUR: Children who have attained the age of 15 years, and who are liable to compulsory education under the compulsory education law, may not be employed unless they work as apprentices under the apprenticeship law. Notwithstanding these provisions, children who are 14 years old may be employed during official holidays. Employment of those 16 to 18 years of age is restricted to ensure time for rest and education. There are no reliable data on illegal child workers. They are concentrated among Israel's Arab population and its newest Jewish immigrants. Illegal employment is found primarily in urban, light-industrial areas.

Children's rights activists estimate that there may be several hundred prostitutes among the nation's children, and they warn that the problem is unlikely to be eradicated until the social problems that give rise to it - including child abuse and schools that give up too readily on dropouts - are addressed.

TRADE UNION RIGHTS: Workers may join and establish labour organisations freely. Palestinians from the West Bank and Gaza Strip who work in Israel may not join Israeli trade unions or organise their own unions in Israel. Israeli workers fully exercise their right to organise and bargain collectively. Non-resident workers may not organise their own unions or engage in collective bargaining. The right to strike is restricted by a law which allows government or authorised ministries to pass emergency regulations 'to defend the country, public security and the supply of essential services.'

1997 negotiations with the Government over public sector pension reform plans and privatisation led, in December, to an indefinite public sector general strike in which primary school teachers participated. The strike ended on the evening of 7 December when Histadrut, the trade union centre, won the right to be consulted by the Government about any changes in Israel's economic structures.

EI member organisations:
Association of Secondary School Teachers in Israel (ASSTI)
Membership: 16,629

Israel Teachers' Union (ITU)
Membership: 40,000

ITALY - ITALIAN REPUBLIC

Population: 57,534,088

Population < 25:	31.8%	Life Expectancy at birth:	75.1m/81.4f
Illiteracy:	1.4%m/2.4%f	School Life Expectancy (years) (1985):	12.4m/12.1f
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	100%
Primary Pupil Teacher Ratio:	11	Tertiary students per 100,000 inhabitants:	3,135
% of GNP spent on education:	4.9%	% of Govt. expenditure on education:	8.8%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Schooling is compulsory for children from the age of six to 14. The drop out rate is high, but it has been declining. In 1995 on average only 56 students graduated from senior secondary school of each 100 who enrolled in primary school. In 1996 the figure was 66.7 for every 100. Children aged three to five may attend kindergarten. The compulsory term includes five years primary and three years of secondary education. In the 1997/98 school year, there were some 251,141 teachers for 2,6 million primary pupils, some 1.7 million students enrolled in lower secondary schools, and about 2.4 million students attending higher secondary schools. In May 1998 the Government introduced a Bill to raise the number of compulsory school years from eight to ten. If it is approved by Parliament it will come into force in September 1999.

More than 1.3 million students were enrolled each year in higher education in Italy in the early 1990s.

CHILD LABOUR: The law forbids employment of children under 15 years of age (with some limited exceptions). There are also specific restrictions on employment in hazardous or unhealthy occupations for males under age 18, and females under age 21. The enforcement of minimum age laws is effective only outside the extensive 'underground' economy. Italy is considered to have one of the highest populations of working children in Western Europe. Official data indicate that the number of children under 14 involved in work in Italy ranges from 300,000 to 500,000. Many of these children play truant from school in order to work. This takes place mainly in large cities such as Naples, Milan, Turin, Genoa and in the Southern and

Central provinces of Apulia, Sicily and Alazio. A 1989 study reported that labour inspectorates often saw their job as pointless because when small factories were closed down because they employed children, they merely relocated and started up again as before.

Outworking is a significant form of exploitation of children and the shoe industry is a major area where the informal economy operates in thousands of small, scattered workplaces. Southern Italy has a prevalence of child labour. Enforcement of school attendance is weak, as is implementation of the labour law and the labour inspection system. There is a demand for child labour in agriculture and in small industrial workshops which are neither registered nor regulated, and where children work in unhealthy and unsafe conditions. A sample survey of the 100,000 child workers in Naples showed that most work more than six hours per day for less than one third of the equivalent adult wage, without the benefits to which adults are entitled. The leather industry is considered particularly hazardous.

The Mafia and Mafia-style organisation are increasingly and deeply involved in child labour in Italy. A report for Anti-Slavery International believes that they have made significant inroads into the labour market in Milan as well as in Sicily, involving large numbers of children.

Roma children - who according to the Council of Europe are particularly vulnerable to economic exploitation - are smuggled into Italy from the former Yugoslavia to work as forced labourers in gangs where they are trained and then sold into crime rings in large cities There is also concern about the number young Albanian girls being smuggled into Italy and forced into prostitution.

The Government has made a pact with trade unions, employers' organisations and co-operative societies to work together against child labour both at home and abroad. In August 1997 a new law aimed to shield children from dangerous situations and to encourage them to attend school. This is a first step in the Government's plan to strengthen support for children and to banish child labour. In April 1998 a further law setting out foreigners' rights covered the right to schooling.

TRADE UNION RIGHTS: Some 40 percent of the work force are unionised and belong to three major trade union federations. The right to strike is embodied in the Constitution and is frequently exercised. By custom (though not by law), national collective bargaining agreements apply to all workers regardless of union affiliation.

EI member organisations:
CISL-Scuola (CISL-S)
Membership: 15,000

Sindicato Nazionale Autonomo Lavoratori Scuola (SNALS)
Membership: 165,000

Sindacato Nazionale Scuola CGIL (SNS-CGIL)
Membership: 23,000

UIL-Scuola (UIL-S)
Membership: 5,000

LATVIA - REPUBLIC OF LATVIA

Population: 2,437,649

Population < 25:	N/A	Life Expectancy at birth:	62.5m/74.3f
Illiteracy:	Negligible	School Life Expectancy (years):	11.1m/11.7f
Net enrolment first level:	86%m/82%f	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	14	Tertiary students per 100,000 inhabitants:	1,737
% of GNP spent on education:	6.3%	% of Govt. expenditure on education:	16.8%

Ratification of UN Convention on Rights of the Child: ✓

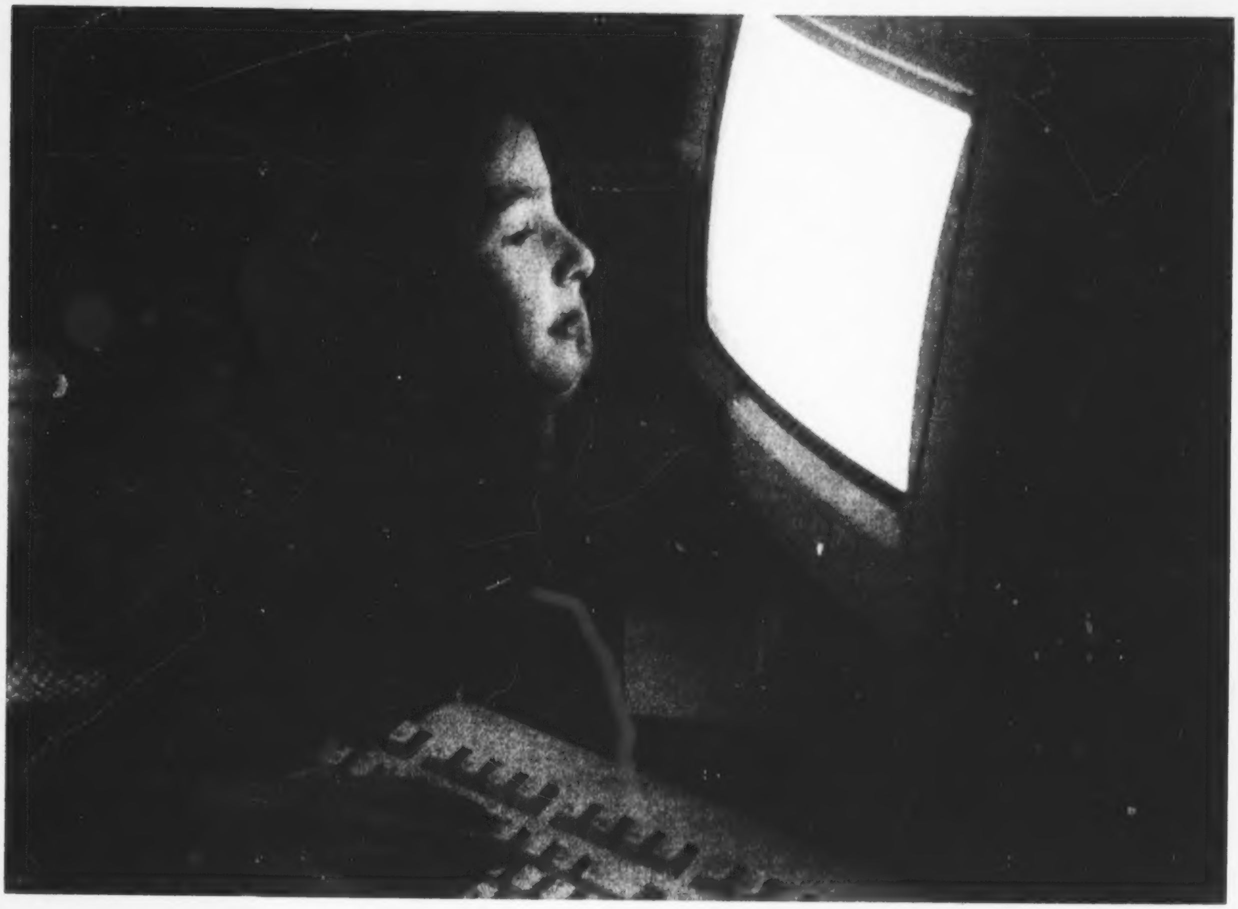
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
		✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Despite the existence of compulsory education, published reports suggest that as many as 15,000 school age children fail to attend school. The government has agreed to continue using Russian as the language of instruction in public schools where the pupils are primarily Russian speakers. It also supports schools in eight other minority languages. Although all non-Latvian-speaking students are supposed to learn Latvian there is a shortage of qualified teachers. Most state-funded university education is in Latvian. However there are several private institutions offering higher education in Russian. A debate continues over proposals that all secondary education in public schools be in Latvian by 2005. Teachers are being required to pass an examination in Latvian in September 1998 or face dismissal.

CHILD LABOUR: The statutory minimum age for the employment of children is 15 years, although those between 13 and 15 years of age may work in certain jobs after school hours. Children are required to attend school for nine years. Child prostitution, often linked with organised crime, is a significant problem.

TRADE UNION RIGHTS: In general the trade union movement is still in transition. Current law does not limit the right to strike. A few job actions occurred in 1997, including a teachers 'phone in' to protest low pay.

EI member organisation:
Latvian Educational and Scientific Workers' Trade Union (LESWTU)
Membership: 67,328



LITHUANIA - REPUBLIC OF LITHUANIA

Population: 3,635,932

Population < 25:	N/A	Life Expectancy at birth:	64.9m/76f
Illiteracy:	under one percent	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	17	Tertiary students per 100,000 inhabitants:	2,023
% of GNP spent on education:	6.1%	% of Govt. expenditure on education:	21.8%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Primary and secondary schooling is compulsory until the age of 15. Minority ethnic groups - including Russians, Poles, Belarusians, Ukrainians, Tatars and Karaites - make up roughly 20 percent of the country's citizens. There were calls during 1997 for the resignation of the Education Minister after he made public remarks that were interpreted to mean that minority language instruction in schools would cease. The Government subsequently confirmed that there was no intention of ending current instruction in the languages of minorities.

The number of children in separate special schools has fallen substantially since 1991 as a result of stricter criteria for categorisation, and there has been an increase in the number of children with special needs who attend normal schools. Another positive development has been steps to ensure access to education for those with the severest disabilities, for whom there was previously no provision.

Women's enrolment now exceeds that of men in some university departments and this has prompted university administrators to introduce preferential entrance criteria for men to redress what is perceived as an abnormal state of affairs.

CHILD LABOUR: The legal minimum age for the employment of children without parental consent is 16 years. The legal minimum age for employment is 16 years; with the written consent of parents, it is 14 years. Trade union representatives assert that the mechanisms for monitoring minimum age legislation are rudimentary. Complaints about infringement of child labour regulations generally are referred to local prosecutors to investigate and take legal action to stop violations. Available evidence suggests that child labour in general is rare, but child prostitution and child pornography is a problem.

TRADE UNION RIGHTS: The Constitution and the 1991 Law on Trade Unions recognise the right of workers to form and join trade unions. Similarly the right to collective bargaining is legally provided for all but civil servants. In practice there are restrictions and loopholes in the law. There are serious restrictions on the right to strike.

EI member organisation:
Lithuanian Teachers' Union
(LMPS)
Membership: 3,320

LUXEMBOURG - GRAND DUCHY OF LUXEMBOURG

Population: 422,474

Population < 25:	34.2%	Life Expectancy at birth:	73.1m/79.7f
Illiteracy:	Negligible	School Life Expectancy (years):	11.1m/11f (1985)
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓		✓	

EDUCATION RIGHTS: The law requires school attendance from the ages of four to 16. Schooling is free until the end of the secondary level, and the Government provides some financial assistance for post-secondary education.

CHILD LABOUR: The law prohibits employment of children under the age of 16. Apprentices who are 16 years old must attend school in addition to their job training. Adolescent workers under the age of 18 have additional legal protection, including limits on overtime and the number of hours that can be worked continuously. The Ministries of Labour and Education effectively monitor the enforcement of child labour and education laws.

TRADE UNION RIGHTS: Sixty-five percent of the labour force is unionised. The law provides for and protects collective bargaining. The Constitution provides all workers with the right to strike, except for government workers such as police, armed forces and hospital personnel providing essential services. Legal strikes may occur only after a lengthy conciliation procedure between the parties. The law provides for and protects collective bargaining. Luxembourg has not complied with its reporting obligations to the ILO for the past four years, on these or any other conventions.

EI member organisations:
Association des Professeurs de l'Enseignement Secondaire et Supérieur (APESS)
Membership: 976

Syndicat Education et Sciences / Onofhangege Gewerkschaftsbond Letzebuerg (SEW-OGBL)
Membership: 1,301

Syndicat National des Enseignants (SNE)
Membership: 2,608

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

Population: 2,113,866

Population < 25:	N/A	Life Expectancy at birth:	70.3m/74.7f
Illiteracy:	N/A	School Life Expectancy (years):	10.3
Net enrolment first level:	86%m/84%f	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	20	Tertiary students per 100,000 inhabitants:	1,372
% of GNP spent on education:	5.5%	% of Govt. expenditure on education:	18.7%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓		✓	✓	

EDUCATION RIGHTS: Education is compulsory through to the eighth grade, or to the ages of 15 or 16. The population of FYR Macedonia is composed of a variety of national and ethnic groups, mainly Macedonians, Albanians, Turks, Roma, Serbs and Vlachs. The Constitution provides for protection of the ethnic, cultural, linguistic and religious identity of minorities, including state support for education in minority languages. FYR Macedonia has made a determined effort to supply teaching in the languages of the minority ethnic groups. Primary education is available in Macedonian, Albanian, Turkish, and Serbian. In 1996 education in the Roma language started in four elementary schools.

Albanians, by far the largest minority group with 22.9 percent of the population, consider Albanian-language as a crucial issue for preserving Albanian heritage and culture. Almost all ethnic Albanian children receive eight years of education in Albanian-language schools. Still, less than 40 percent of Albanian primary students go on to high school, partly because of the lack of available classes in Albanian at the secondary level and partly because many rural families see no need to educate their children beyond the eighth grade. Primarily due to traditional and religious constraints ethnic Albanian girls are under-represented in both primary and secondary schooling. The Government's response to ethnic Albanian demands for greater access to higher education has been to ease admission requirements for minorities at the universities in Skopje and Bitola. Demands for the legalisation of an unofficial Albanian-language university in Tetovo during 1995 led to a violent clash between demonstrators and police. Since then the Government has tacitly allowed the university to function without giving it official recognition.

FYR Macedonia has embarked on a series of reforms in education. Since 1995 a comprehensive revision of the curriculum has been undertaken, a process in which the Active Teaching Interactive Learning Project has played a crucial role in re-training teachers. This UNICEF-supported project began in just four schools that were deliberately chosen to represent the diversity of conditions in the country. The project has been extended beyond these 'pilot' schools to cover 44 schools as of late 1997. Responsibility for the project lies with the national Pedagogical Institute, which has run a series of workshops for teachers and which appoints advisers to visit schools. Teachers who have participated in resident workshops act in turn as trainers and disseminators in their own and neighbouring schools. Most classroom teachers involved in the project have joined voluntarily.

CHILD LABOUR: The minimum age for employment of children is 15 years. Children may not legally work nights and are permitted to work 42-hour weeks. The trafficking of girl-children for prostitution and pornography is becoming a problem.

TRADE UNION RIGHTS: Independent trade unions have been allowed to organise since 1992, when an Association of Independent and Autonomous Unions was formed. Brief strikes were organised in 1997 by the teachers' union, primarily to protest low wages and poor working conditions. The Constitution implicitly recognises employees' right to bargain collectively, a concept nevertheless still in its infancy. Legislation in this area has yet to be passed by Parliament.

EI member organisation:
Trade Union for Education,
Science and Culture in the
Republic
of Macedonia (SONK)
Membership: 18, 750

MALTA - REPUBLIC OF MALTA

Population: 379,365

Population < 25:		N/A	Life Expectancy at birth:	74.6m/79.1f
Illiteracy (1985):	15-24	4.5%m/1.6%f	School Life Expectancy (years):	13.7m/13.1f
	25>	6.3%m/15.4%f		
Net enrolment first level:		100%m/99%f	% of 1994 cohort reaching grade 5:	97%
Primary Pupil Teacher Ratio:		20	Tertiary students per 100,000 inhabitants:	1,595
% of GNP spent on education:		5.2%	% of Govt. expenditure on education:	11.8%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138 ✓	169

EDUCATION RIGHTS: Education is free and compulsory for children between the ages of five and 16. The Government grants subsidies only to Roman Catholic schools. Students in government schools may opt to decline instruction in Roman Catholicism. The University of Malta (founded 1592), in Msida, had approximately 5,000 students in 1994.

CHILD LABOUR: The law prohibits employment of children younger than age 16. This is generally respected, but there is some employment of underage children during summer months, especially as domestics, restaurant kitchen help, or vendors. The Department of Labour enforces the law effectively, but it is lenient in cases of summer employment of underage youths in businesses run by their families.

TRADE UNION RIGHTS: Workers have the right to associate freely. Only non civilian personnel of the armed forces and police are prohibited from striking. There are 14 registered trade unions, representing some 50% of the work force. Workers are free, in law and practice, to organise and bargain collectively. Unions and employers meet annually with government representatives to work out a comprehensive agreement regulating industrial relations and income policy. Under the Industrial Relations Act of 1976, the responsible minister may refer labour disputes either to the Industrial Tribunal (a government-appointed body consisting of government, employers and employee groups) or to binding arbitration. The ILO Committee of Experts objects to a provision of the Act that permits compulsory arbitration to be held at the request of only one of the parties.

EI member organisation:
Malta Union of Teachers (MUT)
Membership: 2,500

MOLDOVA - REPUBLIC OF MOLDOVA

Population: 4,475,232

Moldova remains divided, with mostly Slavic separatists controlling the Transdniestr region along the Ukrainian border. The two sides have generally observed the cease-fire of July 1992. Other agreements to normalise relations have often not been honoured. A Christian Turkic minority, the Gagauz, enjoys local autonomy in the southern part of the country.

Population < 25:	N/A	**Life Expectancy at birth:**	63.5m/71.5f
Illiteracy:	1.6%m/0.5%f	**School Life Expectancy (years):**	N/A
Net enrolment first level:	N/A	**% of 1994 cohort reaching grade 5:**	N/A
Primary Pupil Teacher Ratio:	23	**Tertiary students per 100,000 inhabitants:**	1,976
% of GNP spent on education:	6.1%	**% of Govt. expenditure on education:**	22.9%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
		✓	✓		✓	✓		

EDUCATION RIGHTS: Ten years of basic education are compulsory, followed by either technical school or further study heading to higher education. The Constitution provides parents with the right to choose the language of instruction for their children. In the separatist region, however, there is discrimination against Romanian/Moldovan speakers. Schools are required to use the Cyrillic alphabet when teaching Romanian. Many teachers, parents, and students object to the use of the Cyrillic script to teach Romanian. They believe it disadvantages pupils in pursuing higher education opportunities in the rest of Moldova or Romania. As a result of an agreement between the Government of Moldova and the separatist authorities, eight schools in the separatist region obtained permission to use the Latin alphabet, with salaries and textbooks to be supplied by the Moldovan Ministry of Education. These schools are considered private schools by the local authorities. They must pay rent for their facilities and meet local curriculum requirements, building codes, and safety standards. The Government has no budget allotted for the high rent asked for these facilities. As a result, classes are held in local homes or run in shifts in the few available buildings.

CHILD LABOUR: The minimum age for unrestricted employment is 18 years. Employment of those aged 16 to 18 is permitted under special conditions, including shorter workdays, no night shifts, and longer vacations. Child labour is not used in industry, although children living in rural areas sometimes assist in the agriculture sector. An estimated 1000 children are living in the streets in Chisinan and in other large urban areas.

TRADE UNION RIGHTS: Virtually all employed adults are members of a union. Government workers do not have the right to strike. There were several labour actions during 1997 for payment of wage arrears, including a number of strikes by teachers and health workers in various parts of the country.

EI member organisation:
Public Education and Science
Trade Union (PESTU)
Membership: 168,980

NETHERLANDS - KINGDOM OF THE NETHERLANDS

Population: 15,653,091

RESPONSIBILITIES: Netherlands Antilles (Pop. 211,093) ALSO: Curacao [Constitutionally on a level of equality with The Netherlands homeland within the Kingdom]: Aruba (Pop. 68,031) [same status as Netherlands Antilles]

Population < 25:	35.8% *	Life Expectancy at birth:	75m/80.6f *
Illiteracy:	Negligible *	School Life Expectancy (years):	15.7m/15.2f *
Net enrolment first level:	99% *	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	19 *	Tertiary students per 100,000 inhabitants:	3,485 *
% of GNP spent on education:	5.3% *	% of Govt. expenditure on education:	9.5%

* Statistics apply only to the European Netherlands

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: In 1917, a constitutional amendment guaranteed equal, tax-paid financial support for both public and non-public schools. Today, about one-third of the elementary and secondary schools are public, and about two-thirds are non-public, mainly Roman Catholic and Protestant. School attendance is compulsory for children from five to 16 years of age. Pupils attend a primary school for six years and then enter one of several types of secondary schools, which offer training for entering a university or other advanced institution or for pursuing a vocation. Instruction is in Dutch, except in Friesland, where classes are also taught in Friesian. About 1.4 million pupils attend primary schools, about 673,600 students are enrolled in general secondary schools, and 505,300 attend vocational secondary schools. Some 180,000 students attend colleges and universities and 204,400 are engaged in third-level non-university training.

CHILD LABOUR: The minimum age for employment is 16 years, and for full-time work it is conditional on completion of the mandatory 10 years of schooling. Those still at school at the age of 16 may not work more than eight hours per week. People under the age of 18 are prohibited by law from working at night, overtime, or in areas dangerous to their physical or mental well-being. The laws are effectively enforced. In the Netherlands' overseas dependency of Aruba the law allows for several exemptions to the general prohibition on employment of children under 14 years. The Government has failed to respond to the ILO's requests for information on measures taken to bring the law into line with the convention in recent years.

TRADE UNION RIGHTS: Freedom of association is fully respected in the Netherlands proper, but not to the same extent in the overseas territories. In the Netherlands Antilles, the penal code limits the right to strike by public employees, including teachers in the private sector. The ILO Committee of Experts has asked the Government to repeal the law. In Aruba, the penal code limits the right to strike by public employees, including teachers in the private sector.

The right to organise and bargain collectively is recognised. About 25% of the workforce is unionised, but union negotiated collective bargaining agreements are usually extended to cover about three quarters of the workforce. Industrial relations are generally harmonious and collective bargaining agreements are negotiated in the framework of the "Social Partnership" developed between trade unions and employers.

EI member organisation:
Algemene Onderwijsbond
(Aob)
Membership: 72,958

NORWAY - KINGDOM OF NORWAY

Population: 4,404,456

Population < 25:	N/A	Life Expectancy at birth:	74.8m/80.6f
Illiteracy:	Negligible	School Life Expectancy (years):	14.7m/15.2f
Net enrolment first level:	99%	% of 1994 cohort reaching grade 5:	100%
Primary Pupil Teacher Ratio:	9	Tertiary students per 100,000 inhabitants:	4,009
% of GNP spent on education:	8.3%	% of Govt. expenditure on education:	15%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138 ✓	169 ✓

EDUCATION RIGHTS: Compulsory education was established in Norway in 1827. Education is free and compulsory for nine years: children are normally in school until the age of 16. Changes made since the 1960s have reduced regional disparities and increased access for all social groups to the educational system. In recent years the Government has taken steps to protect Sami (Lapps) cultural rights by providing Sami language instruction at schools in their area. Norway has about 3340 primary schools with a combined enrolment of 462,600 students, and some 810 secondary, vocational, and specialty schools with a combined enrolment of about 211,300 students. For their primary education, children attend a six-year lower school and a three-year upper school. Three years of secondary school is then available.

Norway has four public universities and ten colleges of university standing. These institutions have a combined enrolment of nearly 73,800 students. Teacher-training schools and other higher educational institutions have a combined annual enrolment of more than 92,700.

CHILD LABOUR: Children 13 to 18 years of age may be employed part-time in light work that will not adversely affect their health, development or schooling. Minimum age rules are observed in practice and enforced by the Directorate of Labour Inspections.

TRADE UNION RIGHTS: Over sixty percent of an approximate labour force of 2 million is organised into unions. Collective bargaining is widespread with most wage earners covered by negotiated settlements.

EI member organisations:

Laererforbundet
Membership: 35,338

Norwegian Association of Research Workers (NARW)
Membership: 10,000

Norsk Laererlag/ Norwegian Union of Teachers (NL)
Membership: 65,900

Skolenes Landsforbund (SL)
Membership: 3,500

POLAND - REPUBLIC OF POLAND

Population: 38,700,291

Population < 25:	N/A	Life Expectancy at birth:	66.7m/75.7f
Illiteracy:	Negligible	School Life Expectancy (years):	13m/13.3f
Net enrolment first level:	97%m/96%f	% of 1994 cohort reaching grade 5:	98%
Primary Pupil Teacher Ratio:	16	Tertiary students per 100,000 inhabitants:	1,946
% of GNP spent on education:	4.6%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Education is now compulsory until the age of 18. On completion of the eight-year elementary school programme about a quarter of the student population attend four-year general secondary schools in preparation for college or university entrance. Other pupils attend vocational and technical schools that provide five-year courses combining vocational and general education, or basic vocational schools which provide three-year courses. There are also a number of private schools, many of which are affiliated with the Roman Catholic Church. In August 1997 the Senate rejected an amendment to the Law of Education that banned grades in religion from appearing on school report cards. Proponents of the amendment argued that knowledge of a student's attendance or lack of attendance in religion courses could be a cause for discrimination when a graduate applied to a university or undertakes employment. The bill was returned to Parliament for further action.

The law provides for the educational rights of ethnic minorities, including the right to be taught in their own language. Poland's bilateral treaties with Germany and Belarus contain provisions relating to the rights of those national minorities. A programme was initiated during the 1996-97 school year to teach Lithuanian to pupils of Lithuanian descent in 12 schools in northeastern Poland.

The Roma community, numbering around 40,000, have been subject to educational experiments in some schools, with separate special classes for Roma children, on the grounds that because of economic disadvantage, language barriers, and parental illiteracy, Roma children are behind their non-Roma counterparts when starting school.

Poland has a long history of higher education. There are more than 100 institutions of higher education; of these, 11 are universities, 12 are medical schools, and most of the remainder are specialised vocational colleges.

CHILD LABOUR: The law contains strict prescriptions about the conditions in which children may work. The Labour Code forbids the employment of persons under the age of 15. Those between the ages of 15 and 18 may be employed only if they have completed primary school and if the proposed employment constitutes vocational training and is not harmful to their health. The age floor rises to 18 if a particular job might pose a health danger. The state Labour Inspectorate reported in 1997 that increasing numbers of minors now work and that many employers violate labour rules in employing them (by underpaying workers, paying them late, etc.). Inspectors found violations on stud farms, in restaurants, and, in some instances, in small private sector businesses and factories. Prostitution among 12 and 13 year-olds is increasing.

TRADE UNION RIGHTS: The law provides that all civilian workers, as well as military employees, police, and frontier guards, have the right to establish and join trade unions of their own choosing.

Since its formation in early 1994, the Tripartite Commission has become the main forum that determines national-level wage and benefit increases in such politically sensitive areas as the so-called budget sector (health, education, and public employees), while rendering opinions on pension indexations, energy pricing, and other important aspects of social policy. The Commission serves as an important forum by which the social partners air differences, discuss grievances, and often negotiate agreements before problems erupt into social conflict.

EI member organisations:
National Science Section
NSZZ 'Solidarnosc'
Membership: 27,182

National Education Section
NSZZ 'Solidarnosc'
Membership: 70,000

PORTUGAL - PORTUGUESE REPUBLIC

Population: 9,867,654

RESPONSIBILITIES: Macau (Pop. 502,325) [Macau will revert to China in September 1999] - Azores Islands (Pop. 238,000) - Madeira Islands (Pop. 254,000)

Population < 25:	34.4%	Life Expectancy at birth:	71.8m /78.9f
Illiteracy:	7.5%m/13%f	School Life Expectancy (years):	13.9m/14.7f
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	12	Tertiary students per 100,000 inhabitants:	2,812
% of GNP spent on education:	5.4%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Nine years of education is compulsory. Portugal has about 12,700 primary schools (1,234,300 pupils, staffed by 75,400 teachers) and 1500 secondary schools (647,400 students, 53,900 teachers). Approximately 109,000 students attend Portugal's institutions of higher education. Currently only 50 percent of children receive preschool education (average in EU is 75 percent). The Government's goal is to provide preschool education for 60 to 70 percent of three to four year olds and 90 percent of five year-olds by the year 2000.

CHILD LABOUR: Child labour is a problem in Portugal. The two main labour federations and observers from other EU countries have charged that a number of companies in the footwear, textile, construction and hotel industries exploit child labour. The Ministry of Education reports that hundreds of children are employed illegally, mainly in the northern cities of Porto and Braga. In September 1996 the Government appointed a Commission to Combat Child Labour. Together with the General Union of Workers they have undertaken a public education programme targeted at high-risk communities to convince parents to keep children at school. The Ministry of Employment publishes a list of companies caught illegally employing children. Such companies are denied access to EU funding or benefits. The National Children's Rights Commission was inaugurated in January 1997 with a mission of implementing the principles of the International Convention on the Rights of the Child.

TRADE UNION RIGHTS: Workers in both the private and public sectors have the right to associate freely and to establish committees in the workplace. The law requires a 'minimum level of service' to be provided during strikes in essential sectors, but this requirement has been infrequently applied.

EI member organisations:
Federação Nacional dos Professores (FENPROF)
Membership: 25,050

Federação Nacional dos Sindicatos da Educao (FNE)
Membership: 52,070

Sindicato Democrático Professores (SINDEP)
Membership: 10,000

ROMANIA - Population: 21,399,114

Population < 25:	40%	Life Expectancy at birth:	66m/73.2f
Illiteracy:	1.1%m/3.1%f	School Life Expectancy (years):	11.5m/11.4f
Net enrolment first level:	72%m/74%f	% of 1994 cohort reaching grade 5:	100%m/96%f
Primary Pupil Teacher Ratio:	20	Tertiary students per 100,000 inhabitants:	1,483
% of GNP spent on education:	3.2%	% of Govt. expenditure on education:	9.1%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓		✓	✓	

EDUCATION RIGHTS: Primary education is free and compulsory between the ages of six and 16. However, one in five children is not enrolled at primary school. There are five types of secondary schooling available; vocational schools, which emphasise technical training; art schools, which provide general education with an emphasis on art and music; physical education schools, which provide general education with an emphasis on physical fitness and training; and teacher-training schools. A 1995 survey of 12,000 schools by the Romanian Ministry of Education found 1,150 with buildings suffering from serious structural damage, and 200 in such dangerous condition that they were immediately closed until they could be made safe. Romania has eight universities, eight technical faculties and a number of other institutions of higher education.

Academic education was seriously repressed under the Communist regime. Enrolment in this form of education rose from less than five percent in 1989 to almost 20 percent in 1996. However, overall enrolment appears to have fallen in Romania despite the large rise in general secondary schooling, because of the decline in vocational and technical programmes.

There are approximately 2 million Roma and 1.6 million ethnic Hungarians in Romania. The Roma are subject to widespread discrimination. Only 50 percent of Roma children aged seven to ten attend school regularly, and one-third never attend or drop out of school completely. In June 1997 the Government issued an ordinance modifying the 1995 Education law. Hungarians and other ethnic minorities may now take all university entry exams in the language in which they are taught at school and may pursue vocational studies through the post-high school level in their maternal language. In July the Government amended the 1995 law with a decree that expanded minority-language education in a number of areas. The amendment met with strong opposition from within the governing coalition, as well as from opposition nationalist parties. The Senate voted in December to curtail the provisions of the new decree, but the Chamber of Deputies had not acted on the change by year's end.

CHILD LABOUR: Economic difficulties, in large part a legacy of the Ceaucescu regime, have contributed to the growing number of impoverished and apparently homeless children in the streets of the large cities. The sexual exploitation of children, for example child pornography and child prostitution is a serious problem. The minimum age for employment is 16 years but children as young as 14 or 15 may work with the consent of their guardians. Working children under the age of 16 are entitled to continue their education and the law obliges employers to assist in this regard. A recent study concluded that about eight percent of the country's seven to 15 year olds work, with one in seven of the working children reportedly employed for more than four hours a day. The importance of agriculture in much of the region suggests that there may be a substantial amount of unmeasured child labour in the form of unpaid work on family plots.

TRADE UNION RIGHTS: The 1991 legislation governing labour relations does not meet ILO standards in a number of respects. All workers except public employees have the right to form and join unions and engage in collective bargaining. However loopholes in the law have allowed some employers to ban unions from their enterprises. Numerous restrictions on the right to strike mean that organising a strike is almost impossible. Lengthy and cumbersome procedures must precede a strike, including submission of grievances to government-sponsored conciliation. The teaching sector is considered as essential to the national interest. One third of normal activity must be maintained during a strike.

EI member organisations:
Federatia Educatiei Nationale
(FEN)
Membership: 85,000

Fédération des Syndicats
Libres de l'Enseignement
(FSLE)
Membership: 108,600

RUSSIAN FEDERATION - Population: 147,987,101

Population < 25:	N/A	Life Expectancy at birth:	58m /71.5f
Illiteracy:	under one percent	School Life Expectancy (years):	N/A
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	20	Tertiary students per 100,000 inhabitants:	2,998
% of GNP spent on education:	4.1%	% of Govt. expenditure on education:	9.6%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO-Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓		✓	✓	

EDUCATION RIGHTS: Russia inherited a well-developed, comprehensive system of education from the Soviet period, and most adults in Russia are literate. Soviet authorities established an extensive network of preschool, primary and secondary schools and higher education institutions. It also provided free continuing education for adults. In the early 1990s enrolment in primary schools was 11.9 million pupils, and 9.4 million students attended secondary schools. Specialised secondary schools have a combined enrolment of 2.3 million trained skilled and semi-skilled workers. The specialised programme typically produces graduates with a general secondary education as well as specialised technical training. The collapse of the Soviet system brought many changes to Russian education. By 1992 some 300 private schools had opened, including 40 institutions of higher education. Extensive changes were made to the curriculum, including the teaching of previously banned literary works, a reinterpretation of Soviet and Russian history, and an end to politically inspired subjects. A consequence of these changes has been the need to produce new textbooks. At the start of the 1996 school year, the Government admitted that only half of the 100 million textbooks needed for basic tuition had been published. Some secondary schools in Russia have special agreements with universities, giving their pupils preferential access, which disadvantages other children.

Russia has 519 institutions of higher learning, accommodating approximately 11 percent of the total population over the age of 15. In addition to universities and institutes, the Russian Academy of Sciences endures as one of the world's foremost organisations devoted to scholarly research.

There are a large number of minorities within Russia and a wide range of responses to their educational needs. Indigenous Peoples have been severely affected by programmes of past decades aimed at their Russification.

CHILD LABOUR: The Labour Code prohibits regular employment for children under the age of 16 and also regulates the working conditions of children under the age of 18, including banning dangerous, night time and overtime work. Children may, under certain specific conditions, work in apprenticeship or internship programmes at the ages of 14 and 15.

An ILO study in 1993 surveyed children in the nine to 15 age group and found that the average age at which employment had first been undertaken was 12.5 years. Over half the children in the study were working regularly. A substantial portion was employed every day, including school days. Twenty-five percent of these children were working more than 20 hours per week.

TRADE UNION RIGHTS: The non-payment of wages continues to be the most widespread abuse of the Labour Code. As of December 1997, official government statistics showed that workers were owed roughly 55.3 trillion roubles in accumulated wage arrears. Wage arrears affect workers in many fields, especially education, medicine, industry and the energy/coal sector. Arrears generally range between three and nine months. Teachers' wage arrears are a serious problem throughout the Russian Federation. ESEUR, with the support of Education International lodged a complaint with the ILO in December 1996 about the Government's failure to meet its obligations under ILO Convention 95 on the Protection of Wages. In March 1997 the ILO Governing Body set up a committee specifically to examine the ESEUR/EI complaint.

By late 1997 the Federal Government had made some efforts to reduce wage arrears in the education sector. However ESEUR had not been given clear indications on how the problem of arrears, as well as 1998 wages, current and overdue, might be resolved, or how the ILO recommendations might be implemented. ESEUR Vice-President Galina Merkoulova spoke in June 1998 at the ILO Committee on the Application of Standards during the examination of the Russian case. She said that in spite of all the measures taken by the Government, the wage debt in the education sector had increased and amounted to $US 1.5 billion, which meant delays in payment of wages of at least three

EI member organisation:
Education and Science
Employees' Union of Russia
(ESEUR)
Membership: 3,500,000

months. The average wage for teachers was only $US 90-100 per month. Teachers and other education workers were fearful that they would not be paid over the summer holidays.

In its decision, the Standards Committee strongly urged the Russian Government to make a clear commitment to put an end to the violations of the Convention, and to take, in consultation with the social partners, a package of measures, not only making rules such as decrees but also ensuring their effective enforcement, in particular by the imposition of appropriate penalties in the case of violation, so as to ensure the payment of wages on time and the rapid settlement of wage arrears already outstanding. The Committee will examine the case again in 1999 and hoped there would be definite improvements by then.

SLOVAKIA - SLOVAK REPUBLIC

Population: 5,393,016

Population < 25:	30%	Life Expectancy at birth:	67m/75.8f
Illiteracy:	N/A	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	96%m/97%f
Primary Pupil Teacher Ratio:	24	Tertiary students per 100,000 inhabitants:	1,715
% of GNP spent on education:	5.1%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Compulsory education begins at age six, when children enter primary school; primary education takes nine years to complete, the first eight of which are compulsory. After completing primary school, students may choose between three types of secondary education: vocational or technical schools, schools of general education, or teacher-training institutes. Slovakia has 14 institutions of higher education. In 1997 the Government established new universities in four cities where universities already existed, meanwhile cutting the budgets of the older universities. Critics believe the Government is trying to close universities that it considers are not pro-government by diverting budgetary funds to the new universities. In 1996 a centre for Jewish studies was opened at Comenius University in Bratislava.

The largest ethnic minority in Slovakia is Hungarian (570,000). The Constitution provides for the Hungarian and other minorities to develop their own culture and receive information and education in their mother tongue. In 1996 then Foreign Minister Juraj Schenk gave an assurance that the Government would pass a law codifying the use of minority languages. In October 1997 the Government stated that it no longer saw a need for such a law despite its previous promises. In June 1997 schools that teach in the Hungarian language were not allowed to issue report cards in Hungarian. This ruling reportedly affected 390 schools. Teachers and principals who ignored the ban were penalised. In March 1997 Education State Secretary Ondrej Nemcok wrote to county offices in charge of schools recommending that only ethnic Slovaks be allowed to teach history and geography in Hungarian language schools and that the subjects be taught in

Slovak, along with the Slovak language and literature. There has been serious criticism of a history textbook for its favourable portrayal of the Slovak government during the Second World War and its handling of the deportation of Jews and Roma. Despite an agreement to fund new texts, the European Union has refused to pay for those it has found to be anti-Semitic.

Roma are the second largest minority and are subject to widespread discrimination.

CHILD LABOUR: The law sets the minimum employment age at 15 years. Children must remain in school for nine years, or until the age of 15. Workers under the age of 16 may not work more than 33 hours a week; may not be compensated on a piecework basis; may not work overtime or night shifts; and may not work underground or in specified conditions deemed dangerous to their health or safety. Special conditions and protection, though somewhat less stringent, apply to young workers up to the age of 18. There were no reports of violations in 1997.

TRADE UNION RIGHTS: Official sources state that 65 to 70 percent of the work force is organised. The law provides for collective bargaining but in 1997 the government imposed wage regulations which met with protests from both employers and unions. There is no restriction on the right to strike. It was reported in 1997 that public service employees and some in the private sector were pressured to join pro-government unions. The implication was that refusal to join would put a worker's job in jeopardy.

EI member organisations:
Trade Union of Workers in
Education and Science
(OZPSaV)
Membership: 100,000

Teachers' Forum of Slovakia
(TFS/UFS)
Membership: 1,500

SLOVENIA - REPUBLIC OF SLOVENIA

Population: 1,945,998

Population < 25:	33.8%	Life Expectancy at birth:	69.2m /77.8f
Illiteracy:	Negligible	School Life Expectancy (years):	N/A
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	98%
Primary Pupil Teacher Ratio:	14	Tertiary students per 100,000 inhabitants:	2,387
% of GNP spent on education:	5.8%	% of Govt. expenditure on education:	12.6%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138 ✓	169

EDUCATION RIGHTS: The Slovene government requires that all children receive eight years of primary education and four years of secondary education. Although not obligatory by law, most students receive post secondary or higher levels of education. There are two institutions with university status, including the University of Ljubljana, and 28 other institutions of higher education. Slovenia has in the last three years successfully introduced a new school-leaving examination. Examinations are offered in 33 subjects and two languages (Slovene and Italian) and the universities accept the results as the sole basis for selection. The Constitution provides special rights for the small Italian and Hungarian ethnic communities, including the right to use their own national symbols and enjoy bilingual education. The Constitution also provides for special status and rights for the small Roma communities. A suggestion of special schools for Roma has been opposed by EI affiliate ESWUS. Slovenia has taken clear steps to integrate children with special needs into normal schools and regular classrooms.

CHILD LABOUR: The minimum age for employment is 16 years. Children must remain in school until the age of 15. During harvest or for other farm work, younger children do work. In general, urban employers respect the age limits.

TRADE UNION RIGHTS: The Constitution stipulates that trade unions, their operation, and their membership shall be free and provides for the right to strike. In 1993 the National Assembly for the first time passed legislation restricting strikes by some public sector employees. However, after government budget-cutting, some public sector professionals (judges, doctors, educators) have become increasingly active on the labour front.

EI member organisation:
Education and Scientific
Workers Union of Slovenia
(ESWUS)
Membership: 15,000

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SPAIN - KINGDOM OF SPAIN

Population: 39,244,195

RESPONSIBILITIES - The **Balearic Islands** and the **Canary Islands** are provinces of Spain. **Ceuta** and **Melilla**, small Spanish enclaves on Morocco's Mediterranean coast, gained limited autonomy in 1994.

Population < 25:	34.5%	**Life Expectancy at birth:**	74.5m/81.5f
Illiteracy:	1.8%m/3.9%f	**School Life Expectancy (years):**	15.1m/15.9f
Net enrolment first level:	100%	**% of 1994 cohort reaching grade 5:**	99%
Primary Pupil Teacher Ratio:	18	**Tertiary students per 100,000 inhabitants:**	3,858
% of GNP spent on education:	5%	**% of Govt. expenditure on education:**	12.6%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138 ✓	169

EDUCATION RIGHTS: Education is compulsory for children between the ages of six and 16, and free until age 18. The school system consists of pre-primary schools (for children three to five years old), primary (six to 11), and secondary (ages 12 to 16, in two-year cycles). Students may then take either a vocational training course for one or two years, or the two-year Bachillerato course in preparation for university entrance. Spain's pre-primary schools are attended by approximately 1 million pupils, primary schools by about 4.5 million and secondary schools by approximately 1.8 million. About 30 percent of all children receive their education in the Roman Catholic school system. Spanish institutions of higher education enrolled nearly 1.3 million students annually from early 1990s. In 1996, 57 percent of university graduates were women.

In six of the 17 autonomous communities a language or dialect other than Castillian Spanish is used. Castillian is the official language of the state but other languages can and have been designated official under regional statutes and in a number of regions these languages are promoted in schools. Roma, who make up 2.5 percent of the population, continue to suffer discrimination in the general school system.

CHILD LABOUR: The statutory minimum age for the employment of children is 16 years. The law also prohibits the employment of persons under the age of 18 at night, for overtime work, or in sectors considered hazardous. The minimum age is generally enforced effectively in the service sector and in major industries.

A 1991 report indicated that more that 400,000 children were doing some sort of work. Some of them were working in factories for half the adult wage. Small sub-contracting businesses, in particular in the shoe industry, are known to use child labour. Others worked in family businesses for no pay as well as going to school. This includes work in shops, bars, agricultural jobs, street markets, selling, and cleaning car windows at traffic lights. Other children work on the streets, cleaning shoes, selling, collecting cardboard and refuse, begging and in prostitution. In 51 percent of the cases surveyed in 1991 the reason the children worked was to increase low family incomes. Most of them began to work before they were ten years old and another third between the ages of 11 and 14. Other figures say that there are an estimated 1.5 million illegal child workers with around 200,000 under 14 years working illegally in the informal sector, including family business and agriculture. Seasonal harvest work in Spain, and by Spaniards in France, can take children out of school for months at a time.

TRADE UNION RIGHTS: All workers except judges, magistrates, prosecutors and those in the military are entitled to form and join unions of their choice. The independence of unions and their right to organise and strike are respected. There are over 200 registered trade unions representing about 15 percent of the total Spanish workforce.

In January 1997, EI affiliate FETE-UGT and the Confederation which includes EI affiliate FE CC OO lodged a complaint with the ILO about the Spanish Government's refusal to bargain collectively with public sector workers for a wage increase in 1997.

Instead, the Government made a unilateral decision that public sector workers would not get a pay increase in 1997. The Government's decision appeared to violate a legally binding national collective agreement on pay and conditions in the public service for the period 1995-97. The agreement provided for a collectively bargained pay increase in 1997 - to be conditioned by various economic indicators. The national trade union centres UGT and CC.OO argued that the economic indicators were favourable for a pay increase while the Government said that they were not. In November 1997, the ILO Governing Body adopted the report of the Committee on Freedom of Association. It expressed regret that no increase whatsoever in the remuneration of public servants for 1997 was conceded, not even for those who have the lowest salaries. Further, it expressed the firm hope that the Government, in accordance with Spanish legislation, will have recourse to collective bargaining to determine the conditions of employment of public servants.

EI member organisations:
Federación de Enseñanza
CC.OO (F.E.CC.OO)
Membership: 18,783

Federación de Trabajadores
de la Enseñanza de
la UGT (FETE/UGT)
Membership: 20,100

Federación de la Enseñanza
del Sindikato ELA/STC
(IFE/ELA)
Membership: 2,005

Confederación Intersindical
Galega (CIG-ENSINO)
Membership: 1,000

Confederación de Sindicatos
de Trabajadores de la
Enseñanza (CSTE)
Membership: 12,000

SWEDEN - KINGDOM OF SWEDEN

Population: 8,946,193

Population < 25:	N/A	Life Expectancy at birth:	76.2m/80.8f
Illiteracy:	Negligible	School Life Expectancy (years):	13.9m/14.5f
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	97%m/98%f
Primary Pupil Teacher Ratio:	11	Tertiary students per 100,000 inhabitants:	2,810
% of GNP spent on education:	8%	% of Govt. expenditure on education:	11%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Nine years of basic schooling are compulsory and are provided to all children at public expense (including transportation, books and lunches). Municipalities are responsible for operating day care centres and other early childhood centres. There are also state subsidised family day care centres and 'open' early childhood centres (for part- or full-time attendance on an non-enrolment/drop-in basis) as well as leisure centres for after-school activities. Adult education in Sweden is extensive. Sweden has 37 institutions of higher learning, which together are attended annually by about 192,600 students. Another 176,500 attend institutions administered by municipal governments, principally 'people's colleges' providing adult education. In recent years, major changes have been made to the administration of education with substantial decentralisation of responsibilities for all aspects including staff pay and conditions to municipal authorities within a nationally determined framework.

Sami and Finns have the right to the use of their mother tongues as the language of instruction or as a specific subject.

CHILD LABOUR: Compulsory nine-year education ends at age 16, and the law permits full-time employment at that age under supervision of local authorities. Employees under age 18 may work only during daytime and under supervision. During summer and other vacation periods, children as young as 13 years may work part-time or in 'light' work with parental permission. Union representatives, police and public prosecutors effectively enforce this restriction. Sweden actively supports efforts to protect and improve children's rights.

TRADE UNION RIGHTS: Some 82.5 percent of the approximate 4.7 million work force is unionised - the largest percentage of unionised workers of any industrial nation. Most business owners belong to counterpart employer organisations. The law protects the freedom of workers to associate and to strike, as well as for employers to organise and to conduct lockouts. Management-labour cooperation tends to be excellent and non-confrontational. The law provides both workers and employers with effective mechanisms for resolving complaints.

EI member organisations:
Lärarförbundet / Swedish Teachers' Union
Membership: 174,033

Lärarnas Riksförbund (LR)
Membership: 41,515

Svenska Folkhögskolans Lärarförbund (SFHL)
Membership: 2,254

Swedish Association of University Teachers (SULF)
Membership: 10,000

SWITZERLAND - SWISS CONFEDERATION

Population: 7,248,984

Population < 25:	N/A	Life Expectancy at birth:	75.3m/81.8f
Illiteracy:	Negligible	School Life Expectancy (years):	14.5m/13.5f
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	100%
Primary Pupil Teacher Ratio:	12	Tertiary students per 100,000 inhabitants:	2,085
% of GNP spent on education:	5.5%	% of Govt. expenditure on education:	15.6%

Ratification of UN Convention on Rights of the Child: ✓ [Switzerland is not a member of the United Nations]

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓		✓	✓	✓		

EDUCATION RIGHTS: The Swiss Constitution of 1848 provided for free and compulsory education. Under the Constitution of 1874, as amended in 1902, the federal government confined its efforts to higher education. The Cantons and half-Cantons were required to establish free, compulsory primary schools with subsidies, but without control, from federal government. These schools are taught in the local official language, but students may also study as a specific subject the other national languages. Most Cantons provide lower secondary schools for youths aged 12 to 15, gymnasiums (upper secondary schools), and teacher-training institutes, in addition to various institutions of higher learning and special schools. Primary schools in Switzerland have a total yearly enrolment of about 420,100 pupils; secondary, vocational and teacher-training schools have a combined attendance of some 601,800 students; and institutions of higher learning have an aggregate enrolment of approximately 146,300 students.

Although Switzerland ratified the Convention on the Rights of the Child in 1997, it did so with reservations. Children of migrant seasonal workers are not automatically entitled to accompany their parents and may be issued only with three-month tourist visas.

CHILD LABOUR: The minimum age for employment of children is 15 years, and children are in school up to this age. Children over 13 years old may be employed in light duties for not more than nine hours a week during the school year and 15 hours otherwise. The employment of young people between the ages of 15 and 20 is strictly regulated; they cannot work at night, on Sundays, or under hazardous or dangerous conditions.

Government officials inspect companies that employ children after having received complaints. Every year a few employers are fined or receive conditional imprisonment for violations of the law.

TRADE UNION RIGHTS: All workers, including foreigners, have the right to form and join unions of their choice. Private sector unions have the right to bargain collectively and to strike. About one-third of the work force is unionised. Public servants including teachers may not strike.

EI member organisations:
Dachverband Schweizer Lehrerinnen und Lehrer (LCH)
Membership: 22,000

Société Pédagogique Romande (SPR)
Membership: 7,257

Schweizerischer Verband des Personals Oeffentlicher Dienste (VPOD)
Membership: 4,067

TURKEY - REPUBLIC OF TURKEY

Population: 63,528,225

Population < 25:	54.2%	Life Expectancy at birth:	66.5m/71.7f
Illiteracy:	8.3%m/27.6%f	School Life Expectancy (years):	9.7m/10.6f
Net enrolment first level:	98%m/94%f	% of 1994 cohort reaching grade 5:	88%m/90%f
Primary Pupil Teacher Ratio:	28	Tertiary students per 100,000 inhabitants:	1,930
% of GNP spent on education:	3.4%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
		✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Primary education is free and compulsory for all Turks. By 1990 eighty-one percent of the adult population could read and write. In August 1997 Parliament passed an education reform bill that extended compulsory education from five to eight years, or until the age of 14. The new eight year compulsory education requirement is expected to allow more girls, especially in rural areas, to continue their education. It is also expected to reduce the appeal of the 600 Imam Hatip religious secondary schools and there have been proposals from the National Security Council to close them down. Some 6.9 million pupils attend primary schools, about 3.2 million students attend general secondary schools, and about 651,000 students technical and vocational schools. About 444,000 students attend institutions of higher education. Entrance to Turkey's universities is extremely competitive.

A state of emergency exists in much of southeastern Turkey, where there is armed conflict with Kurdish separatists. The migration of many families, violence against teachers, and school closings in the south east have uprooted children and moved them to the cities that are hard pressed to find the resources to extend basic services, such as schools. Many schools in the southeast are operating on double shifts, with as many as 100 students per classroom. In May 1997 EI affiliate EGITIM-SEN said its officials and members were being constantly harassed and detained. On 22 May, Haydar Kilicoglu, president of the Diyarbakir branch and union members Ahmed M Altindag and Yusuf Akgun were detained and the union's offices raided.

It is an offence to advocate for children's right to teaching in their mother tongue. Nine members of the Executive Board of EI affiliate EGITIM-SEN were put on trial in December 1997, charged with having illegal publications in their office. The publications dealt with the rights of minorities to have education in their mother tongue. They were sentenced to 16 months in prison and fined TL3.7 billion each. The sentences were suspended on condition that the "crime" not be repeated within five years.

CHILD LABOUR: The Constitution and labour laws forbid employment of children younger than age 15, with the exception that those 13 and 14 years of age may engage in light, part-time work if enrolled in school or vocational training. The Constitution also prohibits children from engaging in physically demanding jobs such as underground mining and from working at night. The Ministry of Labour effectively enforces these laws only in the formal industrial sector.

In practice many children work because families need supplementary income. The informal sector provides work for young boys at low wages, for example, in auto repair shops. Girls are rarely seen working in public, but many are kept out of school to work in handicrafts, especially in rural areas. The bulk of child labour occurs in rural areas and is often associated with traditional family economic activity, such as farming or animal husbandry. It is common for entire families to work together to bring in the crop during the harvest. The Government has recognised the growing problem of child labour and has been working with the ILO to discover its dimensions and to determine solutions. A study shows that almost one-half of the children working are below the age of 15, are paid less than the minimum wage, and have no insurance. According to a 1996 report for every 100 workers, 32 were between the ages of six and 19. Children employed at work sites and homes constitute five percent of the total working population and were mostly employed in the metal, shoe, woodworking, and agricultural sectors.

TRADE UNION RIGHTS: In June 1997 Parliament passed implementing legislation for the 1995 constitutional amendments that gave civil servants, including teachers, the right to form legally recognised unions. However, the law does not give them the right to collective bargaining or to strike.

In January 1997 Turk-Is, the largest trade union confederation, organised thousands of workers from all over the country in a mass protest demonstration. Organisers, calling the event a 'struggle for democracy', con-

EI member organisation:
Syndicat des Fonctionnaires
Publics du Secteur
de l'Education (EGITIM-SEN)
Membership: 122,158

veyed their demands for higher wages, ending widespread corruption in government, controlling inflation and unemployment, and allowing civil servants the right to strike and the right to collective bargaining. In December 1997 tens of thousands of public sector employees, members of the Confederation of Public Workers' Union (KESK), went on strike to protests the Government's salary increase. They also demanded the right to strike and to engage in collective bargaining enjoyed by their private sector colleagues.

Following that action the Government drafted a new law that was presented to the Parliament in March 1998. The draft law still did not include the right to strike and to bargain collectively. KESK organised a protest of some 10,000 public employees in Ankara. After occupying Kizilay Square for some hours, the protesters were evicted by police use of waterhoses, tear gas and finally truncheons. KESK announced that the protests would continue and be accompanied by one day strikes in all the major cities. In what EGITIM SEN and other KESK affiliates, see as a major victory, the draft law was withdrawn from the Parliamentary agenda at the end of March. The work is now continuing to ensure that its replacement is satisfactory.

Amonst other findings following its examination of Turkey's application of Convention 98 on the Right to Organise and Collective Bargaining, the 1998 ILO Committee on the Application of Standards expressed the firm hope that the draft legislation in preparation would aim at promoting and encouraging free collective bargaining between civil servants' organisations and state employers.

EĞİTİM-SEN
EĞİTİM-SEN
EĞİTİM-SEN
İSTANBUL
EĞİTİM-SEN

UNITED KINGDOM - UNITED KINGDOM OF GREAT BRITAIN & NORTHERN IRELAND

Population: 58,610,182

RESPONSIBILITIES - Channel Islands (Pop. 152,241) - Isle of Man (Pop. 74,504); Colony: Gibraltar (Pop.28, 913): Caribbean Leeward Islands still associated with UK - Monserrat (Pop. 4,200) {devastated by volcanic eruption 1995 and partially evacuated} - ALSO - British Virgin Islands and Anguilla: Caribbean Dependencies - Cayman Islands (Pop.36, 153) - Turks & Caicos (Pop. 14,631): Atlantic Dependencies - Bermuda (Pop. 62,569) - Falkland Islands [Islas Malvinas] (Pop. 2,317) - St Helena [with Tristan da Gunha (Pop. 7,065) - Ascension Island (Pop. 1,117): Pacific Dependency - Pitcairn Island (Pop. 54)

Population < 25:	33%	Life Expectancy at birth:	74.5m/79.8f
Illiteracy:	Negligible	School Life Expectancy (years):	16.1m/16.6f
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	19	Tertiary students per 100,000 inhabitants:	3,126
% of GNP spent on education:	5.5%	% of Govt. expenditure on education:	11.4%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓			

EDUCATION RIGHTS: School attendance from age four, in the case of Northern Ireland, and five in England, Wales and Scotland, until the age of 16 is free and compulsory and it remains free until the age of 18. Approximately 45% of three year olds participate in pre-primary education. British universities, of which there are now 89, are self-governing. Their academic and financial independence is guaranteed with a committee established to distribute the funds authorised by Parliament. The Further and Higher Education Act of 1992 gave the former polytechnic colleges university status. A system of charging fees to tertiary students was introduced in 1998.

In Wales there is access to full schooling in Welsh.

CHILD LABOUR: School attendance until the age of 16 is compulsory. Children under the age of 16 are not permitted to work in an industrial enterprise except as part of an educational course. However recent evidence has highlighted the ineffectual enforcement of the child labour laws in some parts of the country. Particulary in areas of high adult unemployment children under the age of 16 have been found working for more than 20 hours per week and to the extent that it was interfering with their education. Research suggests that the majority of children undertake some paid work outside their families by the time they reach the age of 16. The proportion of 16-18 year olds studying full time who had some income from employment rose from 40 percent in the late 1960s to almost 60 percent by 1990.

TRADE UNION RIGHTS: Workers have the right to form and join unions. However employers have no legal obligation to recognise unions for collective bargaining and, contrary to ILO standards, the 1993 Trade Union Reform and Employment Rights Act encourages employers to discriminate against trade union members, short of dismissal, and to undermine collective bargaining. The right to strike is not protected by law and there are detailed procedures to be followed to ensure a strike is legal. Changes to the law are expected from the Labour Government in response to findings by the ILO and the Council of Europe that current provisions violate international Conventions and Charters that the United Kingdom has ratified.

Primary and secondary school teachers in England and Wales do not have the right to collective bargaining.

EI member organisations:
Association of Teachers and Lecturers (ATL)
Membership: 102,362

Association of University Teachers (AUT)
Membership: 30,000

Educational Institute of Scotland (EIS)
Membership: 49,017

National Association of Schoolmasters/Union of Women Teachers (NASUWT)
Membership: 165,501

The University and College Lecturers' Union (NATFHE)
Membership: 76,000

National Union of Teachers (NUT)
Membership: 188,213

Scottish Secondary Teachers' Association (SSTA)
Membership: 7,116

Ulster Teachers' Union (UTU)
Membership: 4,500

YUGOSLAVIA - FEDERAL REPUBLIC OF YUGOSLAVIA

Population: 10,655,317

*The Federal Republic of Yugoslavia is now made up of the Republics of Serbia and Montenegro. The political autonomy of **Kosovo** and **Vojvodina** was abolished in 1990.

Population < 25:	N/A	Life Expectancy at birth:	69.8m/75.3f
Illiteracy:	N/A	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	100%
Primary Pupil Teacher Ratio:	22	Tertiary students per 100,000 inhabitants:	1,556
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓		✓	✓	

EDUCATION RIGHTS: The educational system provides for eight years of compulsory schooling. Difficult economic circumstances caused, in part, by failure of the Yugoslav Republic to fully implement the Dayton Agreement, have contributed to a severe scarcity of resources for education throughout the country. Non-payment of wages and the low level of wages for teachers and others have been persistent problems.

Ethnic Albanians throughout Serbia experience often-brutal discrimination including in education. This is particularly acute in Kosovo, where Albanian teachers were dismissed in 1991 for refusing to accept the Serbian imposed curriculum and Cyrillic alphabet. The Albanians in Kosovo set up a parallel education system to ensure Albanian language education remained available at all levels. Serb and Albanian primary age children are taught in separate areas of divided schools and attend classes in shifts. Ethnic-Albanian pupils are seldom allowed access to libraries, laboratories or sports facilities. Older Albanian children attend schools and university classes in private homes. Between 1991 and 1998 five Albanian teachers were killed by the authorities, apparently for their involvement in the parallel system. Intensified repression and violence by the Serbian security forces since the end of February 1998 had, by June, resulted in close to 200 deaths. Included amongst those killed were a number of teachers, their family members and children.

The September 1996 Education Agreement signed by Slobodan Milosevic, then President of Serbia, and Ibrahim Rugova, leader of the Kosovo Albanians, was supposed to lead to a normalisation of the education situation. The first step was to be the return of Albanian teachers, pupils and students to the buildings they formerly occupied. In December 1997 both EI's affiliates signed an appeal to President Milosevic seeking the urgent implementation of the Agreement. By the beginning of May 1998, despite a further agreement on how to implement the agreement, no school buildings or university faculties had been returned to the Albanians.

EI has received details of discrimination against ethnic Albanian pupils and students elsewhere in Serbia. In a number of schools they are denied access to the computers and other technology, to laboratories, and to sports facilities.

In May 1998, university students in Serbia boycotted classes in protest at changes in the law which they said reduced autonomy and academic freedom and extended government control over curriculum and appointments.

CHILD LABOUR: The minimum age for employment is 16 years, although in villages and farming communities it is not unusual to find younger children at work assisting their families. With an actual unemployment rate in excess of 60 percent, real employment opportunities for children are non-existent. Children can, however, be found in a variety of unofficial 'retail' jobs, typically washing car windows or selling small items such as cigarettes.

TRADE UNION RIGHTS: All workers except military and police personnel have the legal right to join or form unions. The government retains however a major influence over the "official" unions. Collective bargaining remains at a rudimentary level of development. Teachers and health workers in the official and independent unions, except the Kosovo Albanian union (UESCK/SBASHK) whose members are operating in the parallel system, took joint strike action in support of their negotiations with the government in April 1997.

EI member organisations:
Autonomous Trade Union of Education, Science, Culture and Physical Culture of Yugoslavia (ATUESCPCY)
Membership: 80,000

The Union of Education, Sciences and Culture of Kosova (SBASHK)
Membership: 27,000

LATIN AMERICA

ARGENTINA - ARGENTINE REPUBLIC

Population: 35,797,536

Population < 25:	N/A	Life Expectancy at birth:	69.6m/76.8f
Illiteracy:	3.8%	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	3,083
% of GNP spent on education:	4.5%	% of Govt. expenditure on education:	15%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Argentina's literacy rate of 96.2 percent is one of the highest in Latin America. Primary education is free and compulsory from ages six to 14. In the early 1990s, about 4.9 million pupils attended primary schools and 2.2 million attended secondary and vocational schools. Nearly 1.1 million were enrolled in colleges of further education and universities. Argentina has 25 national universities and many private universities. EI affiliate, Confederación de Trabajadores de la Educación de la República Argentina (CTERA) launched a major campaign, La Carpa Blanca, in 1997, challenging the Government to support quality public education.

CHILD LABOUR: The law prohibits employment of children under 14 years of age, except in rare cases where the Ministry of Education may authorise a child to work as part of the family unit. Minors between the ages of 14 and 16 may work in a limited number of job categories but not more than six hours a day or 35 hours a week. An official survey revealed that in fact some 149,000 children under age 15 were employed, and UNICEF estimated that 252,000 children were working. According to the National Council on the Child and the Family, two-thirds were working in rural areas as farm labourers with their parents and a third were employed in urban areas, chiefly as domestic servants.

TRADE UNION RIGHTS: Estimates regarding union membership vary widely - government figures indicate union membership at 30 percent, unions leaders believe it to be about 40 percent. Most of the economic reforms introduced in the last six years have been carried out under emer-

gency presidential powers. Labour flexibility and deregulation measures have already included many legislative attacks on trade union rights. Successive decrees have undermined free collective bargaining, and the establishment of an extensive list of essential services where strikes are banned have undermined the right to strike. In April 1997 police and federal border guards broke up a demonstration by striking teachers and unemployed workers in the town of Cutral-co in the province of Neuquen. A young woman demonstrator was killed, apparently by a police bullet. Under the programme of decentralisation being pursued by the Government, teachers in some areas have faced up to 29 percent reduction in their total pay package.

EI member organisations:
Confederación de Trabajadores de la Educación de la República Argentina (CTERA)
Membership: 230,000

Confederación de Educadores Argentinos (CEA)
Membership: 25,000

BRAZIL - FEDERATIVE REPUBLIC OF BRAZIL

Population: 164,511,366

Population < 25:	56.4%	Life Expectancy at birth:	63.4m/71.2f (average life expectancy of Brazilian Indians is 42.6 years)
Illiteracy:	16.7%m/16.8%f	School Life Expectancy (years):	11.1
Net enrolment first level:	90%	% of 1994 cohort reaching grade 5:	71%
Primary Pupil Teacher Ratio:	23	Tertiary students per 100,000 inhabitants:	1,094
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87	98 ✓	100 ✓	105 ✓	111 ✓	138	169

EDUCATION RIGHTS: Primary education in Brazil is free and compulsory for children between the ages of seven and 14, and is available in all parts of the country. Eighty-three percent of the population aged 15 and over is literate. More than 28.7 million pupils attended Brazilian primary schools each year in the early 1990s, and some 3.6 million students were enrolled in secondary schools. Primary and secondary schools are maintained by states and municipalities, but there are also many Roman Catholic secondary schools. The central government of Brazil shares responsibility for institutions of higher learning with the states and private associations. In the early 1990s, Brazil had more than 870 such institutions (including 73 universities), which had a combined enrolment of approximately 1.6 million students. In September 1997 a government working group charged with proposing public policies to increase the participation and access of Afro-Brazilians in society, issued 29 recommendations, including the creation of affirmative action programmes for university admissions.

CHILD LABOUR: More than 3.8 million children, between the ages of 10 and 14 years, fail to get an education and must work. Considerable numbers of them work under conditions approximating forced labour or debt bondage: this is especially so in the mining industry and the plantation economy. The Inter-American Development Bank estimate that some 30 million children live below the poverty line. Many children and adolescents, ranging in age from seven to 17 years, work along side their parents in cane fields, cutting hemp or feeding wood into charcoal ovens - frequent accidents, unhealthy working conditions and squalor are common in these cases. Children also work in many other industries, including leather processing, gold and tin mining, distilleries, plastics, and on tea plantations. In addition, although strenuous efforts have been made to eliminate it, there is still some child labour in the shoe industry. There are no reliable figures on the number of street children and child beggars nationwide, but a conservative estimate states that there are 30,000 in Rio de Janeiro and 12,000 in Sao Paulo.

The culture of the 'street' involves the children in drug use, assault, robberies, homicide and prostitution. Police, businesses and death squads have, during the 1990s, been involved in the systematic killing of street children. Sex tourism and child prostitution are significant problems throughout the country, but especially so in the major tourist cities. Recently there have been some concerted initiatives to reduce child labour. The trade union movement has been at the forefront of efforts to combat child labour. It has achieved considerable success since 1991 when the Central Unica dos Trabalhadores (CUT) created the National Commission for the Defence of the Child and Adolescents' Rights. This focused on education and labour issues. CUT and its affiliates, including EI member organisation, Confederaçao Nacional dos Trabalhadores em Educaçao (CNTE) have undertaken case studies, organised a massive awareness raising campaign and coordinated projects in specific areas as well as providing direct assistance to urban street children.

TRADE UNION RIGHTS: The law limits the scope of issues open to collective bargaining, and the government has extensive powers to cancel collective agreements which are not consistent with its wage policy. The Government has indicated that it intends to reform Brazil's labour law. The Government wants to reform the public sector, and introduce temporary work contracts, labour flexibility and deregulation measures. It is also proposing to make striking punishable by criminal penalties in certain cases. Unions say that the whole reform package would restrict organisation rights and collective bargaining rights. Currently, in the case of public employees, the Constitution specifies their right to strike, subject to conditions enacted by the Congress. Since the Congress has yet to pass the complementary legislation, labour and legal experts debate the limits of the right to strike by public employees. Teachers were among those workers who went on strike in 1997. CNTE has won considerable public support in the campaign to ensure that the Government includes a strong social, labour and environmental dimension in the programme for regional economic integration. CNTE has also been active in supporting the rights of Brazil's Indigenous people and the rural poor.

EI member organisation:
Confederaçao Nacional dos
Trabalhadores em Educaçao
(CNTE)
Membership: 694,009

CHILE - REPUBLIC OF CHILE

Population: 14,508,168

Population < 25:	47%	Life Expectancy at birth:	72.3m/78.3f
Illiteracy:	4.6%m/5%f	School Life Expectancy (years):	11.8
Net enrolment first level:	87%m/85%f	% of 1994 cohort reaching grade 5:	92%m/91%f
Primary Pupil Teacher Ratio:	27	Tertiary students per 100,000 inhabitants.	2,412
% of GNP spent on education:	2.9%	% of Govt. expenditure on education:	14%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87	98	100 ✓	105	111 ✓	138	169

EDUCATION RIGHTS: The Government provides free education up to secondary school; education is compulsory from the first to the eighth grade. During the Pinochet dictatorship, the education system was drastically decentralised and substantially privatised. Since the restoration of democracy in 1989 the Government has made some limited improvements. Chile conducted intensive adult literacy campaigns in the 1980s and in the 1990s initiated programmes designed for adult education. Chile has one of the highest literacy rates in Latin America. In the early 1990s, about 2,066,600 pupils were enrolled in primary schools each years, and some 675,100 in secondary schools. There is some provision for eventual bilingual education in schools with Indigenous populations. Predominantly Mapuches from the south of the country, Indigenous people number nearly one million, according to the 1992 census. Among the institutions of higher learning, the University of Chile, a state-operated university in Santiago, is highly respected internationally.

CHILD LABOUR: UNICEF estimates that approximately 107,000 children between the ages of 12 and 19 are in the work force. The law allows children between the ages of 15 and 18 to work with the express permission of their parents or guardians. Children 14 years of age may also work legally with such permission, but they must have completed their primary education, and the work involved may not be physically strenuous or unhealthy. Many children are employed in the informal economy. A Government study estimates that there are 15,000 children between the ages of six and 11 and 32,000 children between the ages of 12 and 14 were in the work force. The majority of these were males from single-parent households headed by a woman; among these were children who worked more than 40 hours per week and did not attend school. The Ministry of Labour convenes regular meetings of a tripartite group (employers-unions-government) to monitor progress in eradicating child labour. There is evidence that the Government is making serious efforts to reduce child labour in the informal sector.

TRADE UNION RIGHTS: Thirteen percent of the work force is unionised. Chile has not ratified either of the main ILO Conventions on trade union rights, Convention 87 and Convention 98. Free trade unions can now operate in Chile, contrary to the situation under the Pinochet dictatorship from 1972 until 1989, but there remain many weaknesses in the protection of freedom of association and the right to organise. These concern, in particular, trade union membership in the public sector; very limited rights to form unions in sectors such as agriculture, construction and ports; and significant limitations to the right to strike. These limitations weaken trade union bargaining potential and deprive many workers of the benefits of union membership. Despite the restrictions teachers have taken strike action in the recent past. Much work is being done by EI affiliate Colegio de Profesores de Chile (CPC) to rebuild an effective, democratic and participatory union in the education sector. As in other sectors trade union organisation had been virtually crushed and the union dismantled under the Pinochet regime.

EI member organisation:
Colegio de Profesores de Chile (CPC)
Membership: 120,000

COLOMBIA - REPUBLIC OF COLOMBIA

Population: 37,418.290

Population < 25:	N/A	Life Expectancy at birth:	8.2m/73.7f
Illiteracy:	8.8%m/8.6%f	School Life Expectancy (years):	10.5
Net enrolment first level:	85%	% of 1994 cohort reaching grade 5:	55%m/61%f
Primary Pupil Teacher Ratio:	25	Tertiary students per 100,000 inhabitants:	1,643
% of GNP spent on education:	5.5%	% of Govt. expenditure on education:	12.9%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		✓

EDUCATION RIGHTS: The Colombian Constitution formally provides for free public education, which is compulsory between the ages of six and 14. Nevertheless, an estimated 25 percent of children in this age group do not attend school, due to lax enforcement of truancy laws, inadequate classroom space, and economic pressures to provide income for the family. Religious instruction is compulsory in all public schools, most of which are controlled by the Roman Catholic Church. Protestant churches maintain a number of schools, chiefly in Bogota. The national government finances secondary and university-level schools and maintains primary schools in municipalities and departments that cannot afford to do so. In the early 1990s about 4.3 million pupils attended primary schools; some 2.4 million students attended secondary schools, including vocational and teacher-training institutions. There were some 235 institutions of higher education with a total enrolment of nearly 475,000.

The violence, which permeates Colombian society, directly affects pupils, schools and teachers. Because teachers are often seen as leaders in their communities they are frequently the target of violence by one group or another.

CHILD LABOUR: The number of working children between the ages of 12 and 17 is not known with any certainty. A government census found that about 800,000 children work, other analysts have put the figure as high as three million, and a recent Colombian newspaper report put it even higher, at four million. More than 50 percent of all child workers do not attend school at all. A 1996 Labour Ministry study also determined that child workers averaged 50 hours of work a week. In rural areas, 75 percent of child workers received, on average, one-fourth of the minimum wages, while 25 percent received no pay at all. Only 10 percent of child labourers were found to be covered by the health services of the social security system.

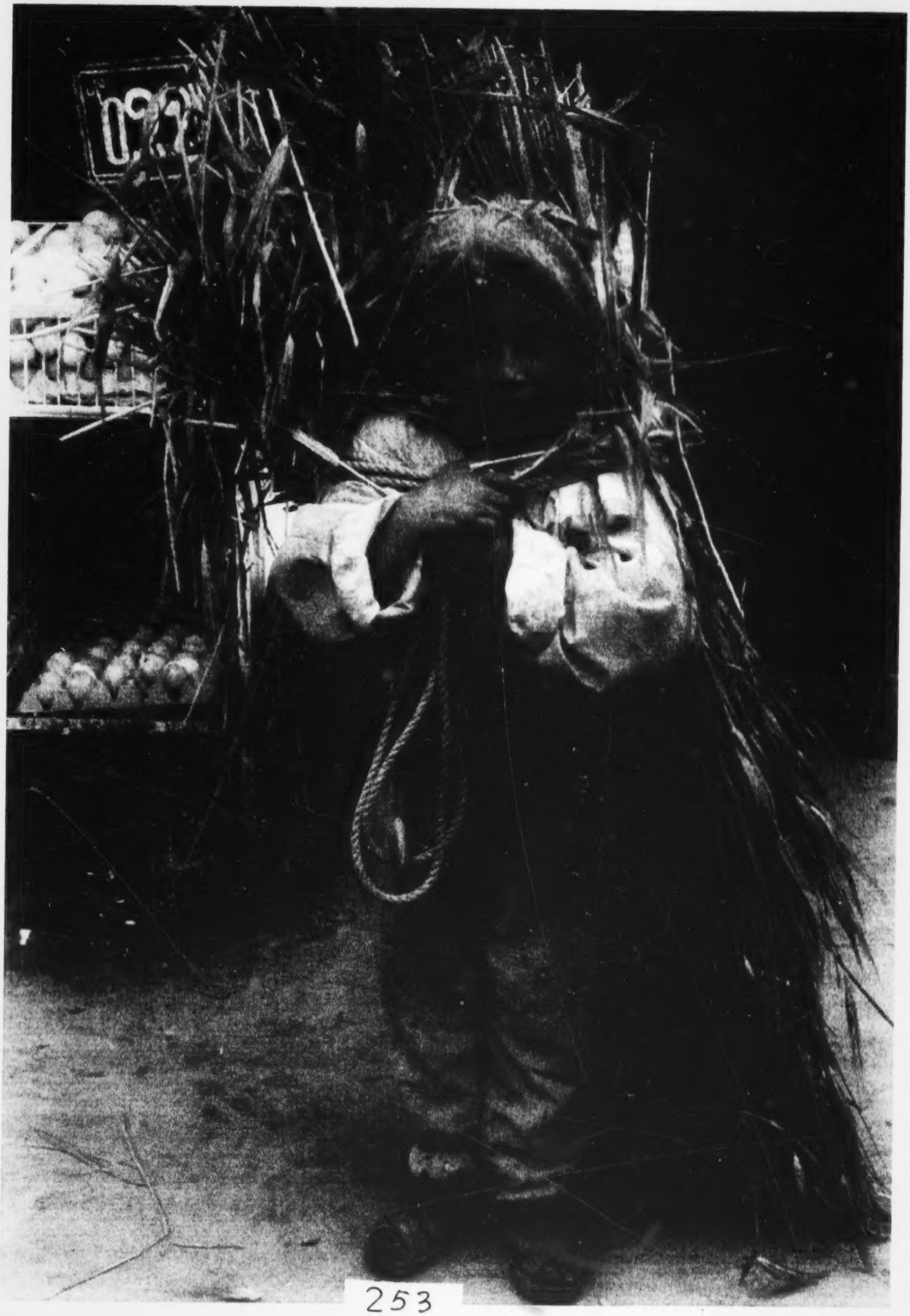
Children work in the flower, agribusiness, coal mining, leather tanning and brick kilns. A recent study of the use of children in the marginal coal mines in north-western Colombia shows that children as young as six work with their families in the mines, carrying water out of the mines, leading the loaded mules and packing coal into bags. Older children do the heavier work such as drilling. The workers face many hazards including landslides, floods, fires, explosions and gas; they suffer from overexertion, hernias, lack of oxygen and bone deformation. Schools are provided but many of the children do not attend because of the hours they work in the mines. Children in the cut flower industry are often exposed to toxic substances during and after the spraying of pesticides. A 1996 study by the National Human Rights Ombudsman of child labour in Putumayo department found that 22 percent of the children between the ages of five and 18 were full-time coca-pickers. In another municipality the figures reached 70 percent. The Government prohibits forced and bonded labour by children but is unable to enforce this prohibition effectively.

Street children are also a major problem in Colombia's cities. Street children employ desperate strategies to survive: 64 percent were working, most commonly in itinerant sales, and some 17 percent cited 'stealing' as their principal occupation. Perhaps the most degrading exploitation of children is as "sicario". Narco-traffickers and other groups are known to have used children aged between nine and 15 to carry out assasinations of their political opponents and others.

TRADE UNION RIGHTS: The 1991 Constitution recognises the rights of workers to organise unions and strike. However, legislation that prohibits public employees from striking is still in effect, even if it is often overlooked. In June 1997 the International Confederation of Free Trade Unions announced in Geneva that 98 union members had been killed because of their union activities in 1996. The Constitution protects the right of workers to organise and engage in collective bargaining. Workers in larger firms and public services have been most successful in organising, but these unionised workers represent only a small proportion of the economically active population. Union leaders throughout

EI member organisation:
Federación Colombiana de
Educadores (FECODE)
Membership: 167,000

the country continue to be the target of attacks by the military, police, paramilitary groups, guerrillas, narcotic traffickers and their own union rivals. In December 1996, EI launched an urgent action appeal naming 34 Federación Colombiana de Educadores (FECODE) members who had been killed in 1996. By the end of January 1997 there had been further murders and kidnappings, and they continued to occur throughout the year and intensified into 1998 as the general election approached. Two FECODE leaders directly targeted for assassination have been assisted by EI to relocate. EI sent a mission to Colombia and participated in the ICFTU mission. The Government responded by establishing a special commission on human rights.



COSTA RICA - REPUBLIC OF COSTA RICA

Population: 3,534,174

Population < 25:	52.3%	Life Expectancy at birth:	74.5m/79.2f
Illiteracy:	5.3m/5f	School Life Expectancy (years):	10.3
Net enrolment first level:	92%	% of 1994 cohort reaching grade 5:	87%m/90%f
Primary Pupil Teacher Ratio:	31	Tertiary students per 100,000 inhabitants:	2,919
% of GNP spent on education:	4.5%	% of Govt. expenditure on education:	19.9%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:

29	87	98	100	105	111	138	169
✓	✓	✓	✓	✓	✓	✓	✓

EDUCATION RIGHTS: The law requires six years of primary and three years of secondary education for all children. Costa Rica has one of the highest rates of literacy in Latin America. In the early 1990s, about 453,300 pupils were enrolled in some 3,300 public primary schools, and about 139,300 students attended 256 public and private secondary schools. The University of Costa Rica, in San Jose, has an annual enrolment of about 29,000. Costa Rica's small Indigenous population, because of their remoteness, often lacks access to schools.

CHILD LABOUR: The minimum working age is 12 years, with special regulations in force for workers under the age of 15. According to estimates 17 percent of children between the ages of five and 17 are involved in income-producing activities, and 25,000 children work rather than attend school. The Government, police sources, and representatives of the UN Children's Fund acknowledge that child prostitution is a growing problem. As many as 3,000 children are believed to be involved in prostitution in San Jose.

TRADE UNION RIGHTS: It remains virtually impossible to form or join trade unions in the private sector because of hostility from employers and the Government's unwillingness to enforce its labour laws. Unionists in the private sector, including in the nine EPZs and on the banana plantations, risked being fired and blacklisted. Collective bargaining is almost unknown. The unions maintain their view that changes made to the labour code in 1993 to protect trade unionists against discrimination are a "dead letter". The law on Solidarist associations was also changed in 1993. These are associations set up by employers as an alternative to unions. They continued, however, to act against trade unions and any effort at trade union organisation. There is no collective bargaining in the public sector. A bill, submitted to Congress three years ago to rectify this, is still being examined.

EI member organisations:
Asociación Nacional de Educadores (ANDE)
Membership: 37,924

Asociación Sindical de Profesores y Funcionarios Universitarios (ASPROFU)
Membership: 960

Sindicato de Trabajadores de la Educación Costarricense (SEC)
Membership: 18,000

CURACAO - Population: 175,000

Curaçao is part of the Kingdom of the Netherlands, and along with the rest of the **Antilles**, was granted full autonomy in internal affairs in 1954. **Curaçao** is the principal island and administrative centre of the **Netherlands Antilles [Bonaire, St Eustatius, Saba and St Maartem** are other islands in the group]. Total population: 211,093. **Aruba** was once part of the **Netherlands Antilles** but is now administered separately.

Population < 25: N/A
Life Expectancy at birth: 74m/79.6f *
Illiteracy: 2%m/1%f *

* Statistics for Netherlands Antilles

EI member organisation:
Sindikato di Trahado den Edukashon na Korsou (SITEK)
Membership: 1,300

DOMINICAN REPUBLIC – Population: 8,228,151

Population < 25:	N/A	Life Expectancy at birth:	68.9m/73.1f
Illiteracy:	18%m/17.8%f	School Life Expectancy (years):	11.1m/11.3f
Net enrolment first level:	79%m/83%f	% of 1994 cohort reaching grade 5:	50%m/65%f
Primary Pupil Teacher Ratio:	35	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	1.9%	% of Govt. expenditure on education:	13.2%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: The Dominican Republic provides free, compulsory education to children between the ages of seven and 14. In the late 1980s approximately 1.3 million pupils attended primary schools each year. Students in secondary schools numbered about 451,700, including those attending vocational schools and institutions for teacher training. In the rural areas there are major problems of access to schools with lack of adequate funding for buildings and new classrooms. Administrative obstacles sometimes hinder the ability of children of Haitian ancestry to attend schools, where there is one available. There are five universities in the Dominican Republic. The main university, the Autonomous University of Santo Domingo has approximately 35,000 students.

CHILD LABOUR: The law requires six years of formal education and prohibits the employment of children under 14 years of age and places restrictions on the employment of children under the age of 16. The high level of unemployment (as much as 40 percent) and lack of a social safety net creates pressures on families to allow children to earn supplemental income. The ILO estimated in August 1997 that 169,000 children between the ages of seven and 14 have jobs. When a fireworks factory exploded in Santo Domingo in September 1997, all five workers killed were children, four of them aged 12 or younger. The Lawyers' Committee for Human Rights stated in 1991 that the Dominican Government actively encourages forced labour by children on sugar plantations. The county's nine Export Processing Zones are also significant employers of underage workers, particularly young girls.

Some promoters in the tourist industry have provided or facilitated sexual exploitation of children. Tours are marketed overseas with the understanding that boys and girls can be found as sex partners. In October 1997 the Government began to arrest, jail and deport foreigners involved in child prostitution in the town of Boca Chica.

TRADE UNION RIGHTS: Organised labour represents little more than 10 percent of the work force. There have been reports of employer intimidation of union activities. Collective bargaining is lawful, but only a minority of companies has negotiated collective bargaining agreements. The Labour Code establishes a system of labour courts for dealing with disputes, but these courts have proven ineffective at enforcing the law. There have been many reports of bribes solicited by labour judges from companies during the deliberation process. In 1997, the new Supreme Court began an overhaul of the labour courts, dismissing the president of the labour court.

EI member organisations:
Asociación Dominicana de Profesores (ADP)
Membership: 26,000

Federación y Corriente Profesoral 'Salomé Ureña'
Membership: 15,000

ECUADOR - REPUBLIC OF ECUADOR

Population: 11,690,535

Population < 25:	63.3%	Life Expectancy at birth:	67.3m/72.5f
Illiteracy:	8%m/11.8%f	School Life Expectancy (years):	N/A
Net enrolment first level:	91%m/92%f	% of 1994 cohort reaching grade 5:	76%m/78%f
Primary Pupil Teacher Ratio:	26	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	3.4%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Education in principle is free and compulsory for all children between the ages of six and 14, but the Government rarely enforces this requirement, and many rural areas do not have schools. Despite deficiencies in the rural education system, many Indigenous groups participated actively with the Ministry of Education in the development of the bilingual education programme used in rural public schools. However, many Indigenous communities still lack access to an education they consider appropriate. The large Afro-Ecuadorian population in the rural, northern coastal area, remain severely disadvantaged in regard to educational and economic opportunities. There are no special government efforts to address these problems. In the late 1980s, about 1.85 million pupils were enrolled in approximately 15,000 primary schools; some 744,400 students attended about 2,200 secondary schools.

CHILD LABOUR: The law prohibits persons younger than 14 years old from working, except in special circumstances such as apprenticeships. It requires those between the ages of 14 and 18 years to have permission of their parent or guardian to work. The law prohibits children between the ages of 15 and 18 years from working more than seven hours per day, and it restricts children below the age of 15 years to a maximum of six hours per day. In practice, the Ministry of Labour fails to enforce child labour laws. In rural areas many children attend school only sporadically after about 10 years of age in order to contribute to household income as farm labourers. In the city many children under 14 years of age work in family-owned businesses, shining shoes, collecting and recycling garbage, or as street pedlars.

TRADE UNION RIGHTS: Most of the economically active population is employed in the agricultural sector or the urban informal sector and the vast majority of workers are not organised. Approximately 12 percent of the work force is organised. The law does not allow public servants, and certain other public sector workers, to form and join trade unions or exercise collective bargaining rights. Nevertheless, most public employees maintain membership of some trade union and there are frequent "illegal" strikes. Despite official threats, the Government rarely takes action against striking public workers. In 1997 the only significant strikes in Ecuador were by public sector employees, including teachers. In November 1997 Congress approved reforms that outlaw strikes in key public services, including schools.

EI member organisation:
Federación Ecuatoriana de
Trabajadores de la
Educación y la Cultura
(FETEC)
Membership: 6,200

EL SALVADOR - REPUBLIC OF EL SALVADOR

Population: 5,661,827

Population < 25:	62.35	Life Expectancy at birth:	66.5m/72.5f
Illiteracy:	26.5%m/30.2%f	School Life Expectancy (years):	9.6m/9.9f
Net enrolment first level:	78%m/80%f	% of 1994 cohort reaching grade 5:	58%m/59%f
Primary Pupil Teacher Ratio:	28	Tertiary students per 100,000 inhabitants:	2,031
% of GNP spent on education:	2.2%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓					✓	✓	

EDUCATION RIGHTS: After 12 years of armed conflict the resources available to rebuild the education system are wholly inadequate. The law requires education up to the ninth grade, and while there was progress in increasing the availability of schooling throughout the country, strict compliance with the legal requirement is limited to the urban centres. El Salvador has about 3,200 primary and secondary schools. The University of El Salvador, and the Jesuit University of Central America, are both located in the capital, San Salvador.

CHILD LABOUR: There are at least 270,000 working children, mostly street vendors. These children are often exploited as prostitutes. The Constitution prohibits the employment of children under the age of 14. Children may obtain permission to work where such employment is considered indispensable. This is most often the case with children of rural families who traditionally work during planting and harvesting seasons.

TRADE UNION RIGHTS: Government workers may not form unions (but are allowed professional and employee organisations) and may not strike. Both private sector unions, by law, and public sector employee associations (in practice) use collective bargaining.

EI member organisations:
Asociación Nacional de Educadores Salvadoreños 21 de Junio (ANDES)
Membership: 5,000

Sindicato Gremial de Maestros de El Salvador (SIMES)
Membership: 3,100

GUATEMALA - REPUBLIC OF GUATEMALA

Population: 11,558,407

Population < 25:	65.2%	Life Expectancy at birth:	64.7m/69.8f
Illiteracy:	37.5%m/51,4%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	34	Tertiary students per 100,000 inhabitants:	755
% of GNP spent on education:	1.7%	% of Govt. expenditure on education:	18.2%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138 ✓	169 ✓

EDUCATION RIGHTS: Education is free at all levels and primary education is compulsory for all children up to the age of 12 or to the sixth grade. There is an acute shortage of schools, and only 55 percent of Guatemalans aged 15 or more years are literate. Less than half the population actually receives a primary education. Under the terms of the Peace Accords (ending 36 years of internal conflict) the Government has budgeted to substantially increase education funding in 1998, almost double the 1995 level. The Government is also devoting increased resources to bilingual education for the country's Indigenous people. Pupils returning with their families from exile present a further challenge to the education system. At present there is simply not enough room in schools for them let alone extra assistance to support their reintegration into Guatemalan society. In the early 1990s there were 9,000 primary schools with an annual enrolment of about 1.5 million pupils. Two hundred and forty one thousand students were enrolled in secondary schools. Guatemala has five universities.

CHILD LABOUR: The Constitution bars employment of children under the age of 14 without written permission of the Ministry of Labour. However, the law is not effectively enforced and children below this age are regularly employed in the informal and agricultural sectors, usually in small family enterprises. Thousands of children who work illegally are open to exploitation, generally receive no social benefits, social insurance, vacations, or severance pay, and are paid below the minimum rates.

TRADE UNION RIGHTS: All workers have the right to form or join unions, including public sector employees. Workers have a right to strike but procedures and restrictions have been opposed as unconstitutional and contrary to ILO commitments. The right to organise and bargain collectively is hindered by the law, inexperience, and management's avoidance of trade unions.

EI member organisations:
Colegio de Maestros de Guatemala (CMG)
Membership: 2,320

Sindicato de Trabajadores de la Educación de Guatemala (STEG)
Membership: 4,000

HONDURAS - REPUBLIC OF HONDURAS

Population: 5,751,384

Population < 25:	N/A	Life Expectancy at birth:	67.5m/72.3f
Illiteracy:	27.4m/27.3f	School Life Expectancy (years):	N/A
Net enrolment first level:	89%m/91%f	% of 1994 cohort reaching grade 5:	44%m/51%f
Primary Pupil Teacher Ratio:	35	Tertiary students per 100,000 inhabitants:	985
% of GNP spent on education:	3.9%	% of Govt. expenditure on education:	16.5%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	✓

EDUCATION RIGHTS: Education is free and compulsory for children between the ages of seven and 12. The Government has pledged to raise the literacy rate, which is currently 73 percent. There are about 7,600 primary schools and about 475 secondary, technical and teacher-training institutions. The National Autonomous University of Honduras, in Tegucigalpa, is the major institution of higher education.

CHILD LABOUR: The employment of minors under the age of 16 is prohibited, except that a child who is 15 years of age is permitted to work with the permission of parents and the Ministry of Labour. The New Children's Code prohibits a child of 14 years of age or less from working, even with parental permission. Violations of the Code occur frequently in rural areas and in small companies. Many children work on small family farms, as street vendors, or in small workshops to supplement the family income. The most significant child labour problem is in the construction industry. There are thousands of street children in Tegucigalpa and San Pedro Sula. About 40 percent regularly engaged in prostitution and approximately 30 percent of street children were HIV positive. Both the police and members of the general public engaged in violence against street children. Typically the children found their way to the streets because of severe family problems, others had simply been abandoned.

TRADE UNION RIGHTS: Workers have the legal right to form and join trade unions, and the law protects workers' rights to organise and to bargain collectively. However, previous governments had promised investors that the Labour Code would not be strictly applied in free trade zones. In the zones violations of trade union rights increased and working conditions deteriorated in 1997. The Constitution provides for the right to strike, however, the Civil Service Code, denies the right to strike to all government workers, other than the employees of state-owned enterprises.

EI member organisations:
Colegio Profesional 'Superación Magisterial' Hondureño (COLPROSUMAH)
Membership: 36,429

Colegio de Profesores de Educación Media de Honduras (COPEMH)
Membership: 7,000

Colegio Profesional "Unión Magisterial" (COPRUM)
Membership: 1,280

Primer Colegio Profesional Hondureño de Maestros (PRICPHMA)
Membership: 12,000

MEXICO - UNITED MEXICAN STATES

Population: 97,563.374

Population < 25:	57.8%	Life Expectancy at birth:	69.5m/75.5f
Illiteracy:	8.2%m/12.6%f	School Life Expectancy (years):	N/A
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	85%m/84%f
Primary Pupil Teacher Ratio:	29	Tertiary students per 100,000 inhabitants:	1,586
% of GNP spent on education:	5.3%	% of Govt. expenditure on education:	26%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98	100 ✓	105 ✓	111 ✓	138	169

EDUCATION RIGHTS: The Federal Government increased the number of compulsory school years from six to nine in 1992, and made parents legally liable for their children's attendance. In the mid-1990s some 14.5 million pupils attended about 85,000 primary schools and 4.3 million students attended 20,600 secondary schools. Mexico has about 13,000 institutions of higher education, which together enrol some 4 million students annually. In some parts of Mexico Indigenous communities have set up their own schools and teacher-training institutions to promote and protect their language, culture and way of life. Mexico is experiencing very rapid change at all levels of society, including within the education sector.

CHILD LABOUR: The law sets the minimum legal work age at 14. Enforcement is reasonably good in export industries and those under federal jurisdiction, but inadequate at the many small companies and in agriculture, and, despite government efforts, enforcement is nearly absent in the informal sector. The ILO reported that 18 percent of children 12 to 14 years of age work, often for parents or relatives.

TRADE UNION RIGHTS: Although trade union rights and freedom of association are recognised in both the constitution and law, the right to organise and the right to strike is not always respected in practice. The law permits public sector strikes. Informal strikes in the public sector are more frequent than official ones.

Education and health professionals have seen a substantial decline in their salaries relative to other professional groups. In late May and June 1997, informal stoppages by members of EI affiliate, Sindicato Nacional de Trabajadores de la Educación, shut down many schools in several states. Teacher demonstrations in the Federal District disrupted traffic, until settlements were reached that included pay for strike days and unpaid overtime to make up lost work and complete the school year. Despite changes within Mexico, teacher leaders and union activists remain vulnerable to attacks, kidnapping and disappearance.

EI member organisation:
Sindicato Nacional de
Trabajadores de la Educación
(SNTE)
Membership: 1,100,000

NICARAGUA - REPUBLIC OF NICARAGUA

Population: 4,386,399

Population < 25:	66.7%	Life Expectancy at birth:	65.8m/70.6f
Illiteracy:	35.4%m/33.4%f	School Life Expectancy (years):	8.9m/9.4f
Net enrolment first level:	82%m/85%f	% of 1994 cohort reaching grade 5:	52%m/56%f
Primary Pupil Teacher Ratio:	38	Tertiary students per 100,000 inhabitants:	1,029
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Education is compulsory through the sixth grade, but this provision is not enforced. Many children do not attend secondary school because of lack of facilities. Whereas about 679,000 children attended the country's primary schools only 172,000 were enrolled in secondary and vocational schools. The after effects of the civil war continue to be experienced in the education sector. Resources are inadequate to meet the special needs of children disabled during the war.

Approximately 25,000 students attended Nicaraguan institutions of high education, including the National Autonomous University of Nicaragua, in Leon, and the Central American University and the Technical University of Nicaragua, both in Managua.

There are serious problems related to the education needs of the Indigenous Misquitos peoples, who speak only their own language and English.

CHILD LABOUR: UNICEF reported that 20 percent of children from ages six to nine years of age work. The Labour Ministry estimated that about 100,000 children under age 14 are illegally employed. Of these, it estimated that 72,000 were employed in the annual harvests of coffee, cotton, bananas, tobacco and rice. Others are forced by their parents to work in the streets of Managua as vendors or beggars. Child prostitution exists but is not common.

TRADE UNION RIGHTS: Legally, all public and private sector workers (except the police and those in the military) may form and join unions of their own choosing. There were reports in 1997, however, that the authorities colluded with foreign investors to stop unionisation in the free trade zones. Workers may strike legally only after they have demonstrated that they have just cause to strike and have exhausted other avenues of dispute resolution. The 1996 Labour Code reaffirms the constitutional right to bargain collectively.

EI member organisations:
Confederación General de Trabajadores de la Educación de Nicaragua
(CGTEN - ANDEN)
Membership: 12,520

Confederación Nacional de Maestros de Nicaragua
(CNMN)
Membership: 15,000

PANAMA - REPUBLIC OF PANAMA

Population: 2,693,417

Population < 25:	59.2%	Life Expectancy at birth:	71.8m/76.4f
Illiteracy:	.6m/9.8f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	2,686
% of GNP spent on education:	5.2%	% of Govt. expenditure on education:	20.9%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Education is compulsory up to the ninth grade, and between the ages of six and 15. In the early 1990s some 14,000 primary school teachers were responsible for the education of over 353,000 pupils. Another 201,000 students attended the country's secondary schools. About 63,848 students were enrolled in Panama's two universities, the University of Panama and Santa Maria La Antigua University, both in Panama City. The law provides for academic freedom, which is generally respected, however, in July 1997 officials at the University of Panama took steps to silence two prominent professors who publicly alleged corrupt practices at the university.

CHILD LABOUR: The law prohibits the employment of children under 14 years of age as well as those under 15 years if the child has not completed primary school. Children between the ages of 12 and 15 may perform farm or domestic labour as long as the work is light and does not interfere with the child's schooling. According to an ILO report, 11,600 children between the ages of 10 and 14 are in the labour force - primarily in farm or domestic labour.

TRADE UNION RIGHTS: Private sector workers have the right to form and join unions of their choice. The 1994 Civil Service Law permits most government workers to form public employees associations and federations and establishes their right to represent members in collective bargaining. Most workers in the government service have a limited right to strike. In 1996 and 1997 there was persistent conflict between the Government and public sector employees, including teachers, over proposed changes to pension provisions, among other issues.

EI member organisation:
Magisterio Panameño Unido (MPU)
Membership: 3,000

PARAGUAY - REPUBLIC OF PARAGUAY

Population: 5,651.634

Population < 25:	54.3%	Life Expectancy at birth:	67.5m/72f
Illiteracy:	6.5m/9.4f	School Life Expectancy (years):	9.2m/9.1f
Net enrolment first level:	89%	% of 1994 cohort reaching grade 5:	70%m/73%f
Primary Pupil Teacher Ratio:	24	Tertiary students per 100,000 inhabitants:	931
% of GNP spent on education:	2.9%	% of Govt. expenditure on education:	16.9%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Primary education in Paraguay is free and nominally compulsory for children from seven to 14 years of age. The number of schools, however, is inadequate. In the early 1990s about 721,000 pupils were enrolled in primary schools per years, and about 169,000 students attended secondary, vocational and teacher-training schools. About 32,884 students attended institutions of higher education, which included the National University of Asuncion and the Catholic University of Our Lady of Asuncion.

Paraguay is officially bilingual. Students are taught in Spanish and Gurani. Subtle discrimination against Indigenous people persists. Within the education system there is insufficient funding for curriculum materials in Gurani.

CHILD LABOUR: Minors between 15 and 18 years of age may be employed only with parental authorisation. Children between 12 and 15 years of age may be employed only in family enterprises, apprenticeships, or in agriculture. The Labour Code prohibits work by children under 12 years of age. In rural areas, it is not unusual for children as young as 10 years of age to work beside their parents in the fields. Although no census has been taken, the Public Ministry report that some 26,000 children work in urban areas as street vendors or as prostitutes.

TRADE UNION RIGHTS: Both private and public sector workers are free to form and join unions and the Constitution provides for the right to strike. The ILO Committee of Experts has noted deficiencies in the application of certain conventions ratified by the Government. These include conventions dealing with minimum-wage fixing machinery, abolition of forced labour, minimum age of employment, freedom of association, equal remuneration, and employment policy. The law provides for collective bargaining, however they are still the exception rather than the norm in labour-management relations. After 40 years of very repressive dictatorship and just ten years of democracy, the trade union movement is relatively young but very active and growing. In 1996 and 1997, the Government used fierce force against protests, rallies and strikes on a number of occasions and arrested trade union leaders.

EI member organisation:
Organización de Trabajadores
de la Educación del Paraguay
(OTEP)
Membership: 2,500

PERU - REPUBLIC OF PERU

Population: 24,949,512

Population < 25:	56.7%	Life Expectancy at birth:	65.9m/ 70.9f
Illiteracy:	5.5%m /17%f	School Life Expectancy (years):	12.9m/11.8f
Net enrolment first level:	90.5%	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	28	Tertiary students per 100,000 inhabitants:	3,268
% of GNP spent on education:	3.8%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Public education in Peru is free and compulsory for all children between the ages of six and 15. In the early 1990s some four million pupils attended elementary schools, and about two million were enrolled in secondary and vocational schools. Many children in rural areas, however, do not attend secondary school because of lack of facilities or the need to support their families from an early age by working in the informal sector.

Recent regulations requiring all school teachers to have professional teaching certification caused many Indigenous teachers to be replaced by teachers who do not speak any of the Indigenous languages. As a result the continued use of the languages of Amerindians who live in the Andean highlands as languages of instructions, as well as the very survival of Indigenous cultures, have been put in jeopardy.

Some 576,800 students attended more than 45 institutions of higher education in the late 1980s.

CHILD LABOUR: A high percentage of school-age children work during daytime hours rather than attend classes, and only a few of these children attend classes at night. Legally the minimum age for employment is 16, but a recent government study found that eight percent of the work force is between the ages of six and 14. Child labour is heavily used in the agricultural sector. In the informal gold mines many workers are under age 15, and some as young as 11. These child labourers were pressed into service through a recruitment system known as 'enganche.' Under this system, the children are provided free transportation to the mines and allegedly agree to work for at least 90 days before being paid. They work in harsh conditions without proper medical care, are often subjected to physical and sexual abuse, and at times are deprived of their pay. The brick kilns also employ child labour on a significant scale.

TRADE UNION RIGHTS: Economic structural adjustment measures implemented since 1990 have seriously undermined trade union rights. These measures sped up the privatisation, and made it easier to lay off workers and hire workers on temporary contracts - usually with no union rights. Under the new laws, young workers were recruited on, so called, training programmes without basic employment rights and without the right to join unions. Other laws abolished job security and removed workers' protection against arbitrary dismissal. Employers were no longer obliged to reinstate workers, even if they were found to have been unfairly dismissed. Amendments to the 1992 Employment Promotion Law, in 1995 and 1996 have not satisfied either the main union confederations or the ILO. In June 1996 the ILO called on the Government to adopt new legislation to enhance freedom of association. The ILO Committee on Freedom of Association has noted that the legislation fails to protect workers and their organisations against antiunion discrimination and interference by employers. In addition, the Committee found that the goal of voluntary collective bargaining is also impeded. EI affiliate, The Sindicato Unico de Trabajadores en la Educación del Peru (SUTEP) has been subject to significant Government pressure as it has challenged the Fujimori Government's drive for privatisation throughout the economy, including in the education and social security sectors. As with EI affiliates elsewhere in Latin America, SUTEP has put forward alternatives to the market driven reforms and restructuring.

EI member organisation:
Sindicato Unico de
Trabajadores en la Educación
del Perú (SUTEP)
Membership: 259,518

URUGUAY - ORIENTAL REPUBLIC OF URUGUAY

Population: 3,261,707

Population < 25:	38.9%	Life Expectancy at birth:	69.6m/76.1f
Illiteracy:	3.1%m/2.3%f	School Life Expectancy (years):	N/A
Net enrolment first level:	95%	% of 1994 cohort reaching grade 5:	93%m/96%f
Primary Pupil Teacher Ratio:	20	Tertiary students per 100,000 inhabitants:	2,223
% of GNP spent on education:	2.8%	% of Govt. expenditure on education:	13.3%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Primary education is compulsory. Uruguay is one of the few states in the western hemisphere in which all education, including college and post-graduate work, is free. Ninety-five percent of children complete the elementary school programme. In the early 1990s primary schools numbered about 2,413 and were attended by about 340,789 students; during the same period, about 275 secondary schools had an annual enrolment of about 276,412. Institutions of higher education include the University of the Republic and about 40 teacher-training schools. The education system at all levels is being required to respond more effectively to the requirements of regional economic integration and to Montevideo's role as the administrative seat of the region.

CHILD LABOUR: By law children under 15 years of age are not allowed to work unless granted a special permit; this is enforced in practice. Children under the age of 18 may not perform dangerous, fatiguing or night work. Controls over the salaries and hours for children are more strict than those for adults. Children over the age of 16 may sue for payment of wages, and children have a legal right to dispose of their own income. However, many children work as street vendors in the expanding informal economy or in the agricultural sector, which are generally less strictly regulated and where pay is lower.

TRADE UNION RIGHTS: Uruguay has one of the oldest and most active trade union movements in Latin America. Civil servants, employees of state-run enterprises, and private sector workers may join unions. The Constitution provides workers with the right to strike. Collective bargaining between companies and their unions determines a number of private sector salaries. The executive branch, acting independently, determines public sector salaries.

EI member organisations:
Federación Democrática de Maestros y Funcionarios de Educación Primaria (FEDMYFEP)
Membership: 1,514

Unión Funcionarios Docentes de Uruguay (UTU)
Membership: 3,600

VENEZUELA - REPUBLIC OF VENEZUELA

Population: 22,396,407

Population < 25:	56.7%	Life Expectancy at birth:	70m/75.7f
Illiteracy:	8.2%m/9.7%f	School Life Expectancy (years):	10.2m/10.7f
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	75%m/82%f
Primary Pupil Teacher Ratio:	38	Tertiary students per 100,000 inhabitants:	1,029
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138 ✓	169

EDUCATION RIGHTS: Education is compulsory, free and universal for ten years between the ages of five and 15. However, 64 percent of children leave school before the ninth grade and school-age education is chronically under-funded. The impact of economic structural adjustment has been very severe in education. Funding of basic education fell from 20 percent of the Ministry of Education budget in 1989 to 7.5 percent in 1994. Fully a third of the budget during that period was dedicated to post-secondary education. In addition, a large number of children are not eligible to receive public education because their birth is not properly documented. There are some 23,700 primary schools (staffed by over 211,100 teachers), and 1,500 secondary schools.

About 350,000 students were enrolled in post-secondary institutions in the mid-1990s. Universities include the Central University of Venezuela and Andres Bello Catholic University, both in Caracas; the University of the Andes, in Merida; and the University of Zulia, in Maracaibo.

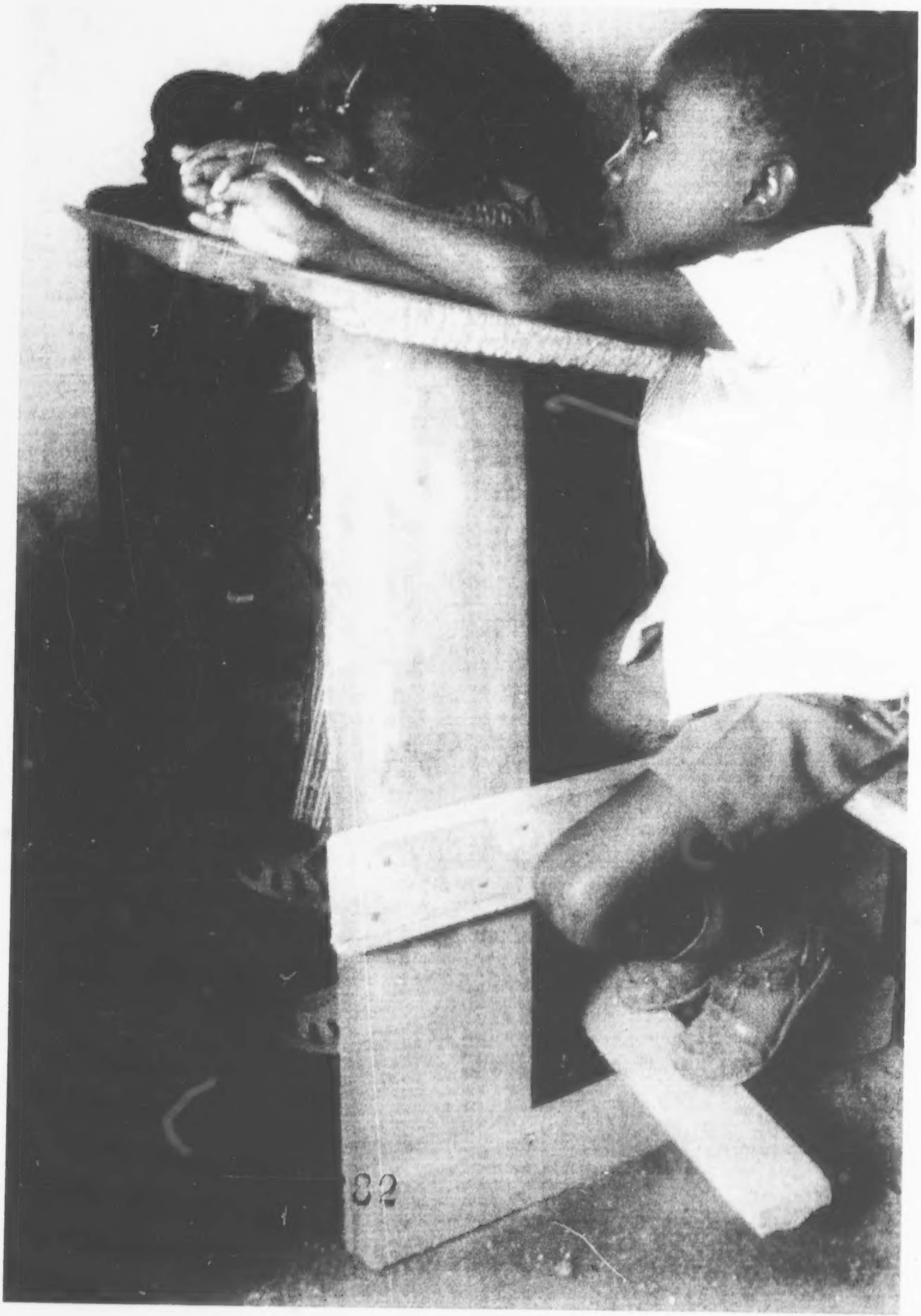
CHILD LABOUR: Enforcement of child labour policies is adequate in the formal sector of the economy. It is ineffective in the informal sector, which accounts for the vast majority of child labourers. The estimated 1.2 million children who work in the informal sector, mostly as street vendors, generally work more hours than the total permitted under the law. The Labour Code states that children between the ages of 14 and 16 may not work without permission of their legal guardians. Minors may not work in mines or smelters, in occupations that risk life or health, that could damage intellectual or moral development or in public spectacles.

The National Institute of Minors determined that 206,000 children were involved in illicit activities, principally begging, but also petty theft, prostitution and drug trafficking. Some 40,000 children were exploited sexually, according to a 1994 study. There are also reports of trafficking in children from other South American countries to work in Caracas as street vendors and housemaids.

TRADE UNION RIGHTS: The comprehensive 1990 Labour Code extends to all private sector and public sector employees the right to form and join unions of their choosing. The law recognises the right of public and private sector employees to strike. During 1997 most strikes occurred among government employees, including university professors and teachers. The Labour Code protects and encourages collective bargaining.

EI member organisation:
FETRA-Enseñanza (FETRAE)
Membership: 8,000

NORTH AMERICA & CARIBBEAN



ANTIGUA AND BARBUDA - Population: 66,175

About 3,000 refugees fleeing a volcanic eruption on Montserrat have settled in Antigua since 1995. The Government asked the United Kingdom for assistance in meeting the serious burden this has placed on the country's social services. (Montserrat is a dependent territory of the United Kingdom)

Population < 25:	48.9%	Life Expectancy at birth:	72
Illiteracy:	Approximately 10%	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓		✓	✓	✓	

EDUCATION RIGHTS: The Government provides education for children up to the age of 16.

CHILD LABOUR: The law stipulates a minimum working age of 13 years. The tripartite National Labour Advisory Board recommended in September 1996 that the minimum age be raised to 16, which would correspond with the Education Act. There have been no reports of minimum age violations. The political strength of the two major unions and the powerful influence of the Government on the private sector combine to make the Ministry of Labour, which is required by law to conduct periodic inspections of workplaces, very effective in enforcement of this area.

TRADE UNION RIGHTS: In a tourist dominated economy, the important hotel industry is heavily unionised. Trade unions are free to organise and bargain collectively. Employers found guilty of anti-union discrimination are not required to rehire employees fired for union activities, but must pay full severance pay and full wages lost by the employee from the time of firing until the determination of employer fault.

EI member organisation:
Antigua and Barbuda
Union of Teachers
(A&BUT)
Membership: 620

STOP CHILD LABOUR
CHILDREN SCHOOL
ADULTS WORK
EXPLOITERS JAIL

BAHAMAS - THE COMMONWEALTH OF THE BAHAMAS

Population: 262,034

Population < 25:	59.1%	Life Expectancy at birth:	70.5m 77.1f
Illiteracy:	1.5%m 2%f	School Life Expectancy (years):	12.1m 13.2f
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	78%
Primary Pupil Teacher Ratio:	22	Tertiary students per 100,000 inhabitants:	2,331
% of GNP spent on education:	3.9% (1991)	% of Govt. expenditure on education:	16.3% (1991)

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓		✓		✓			

EDUCATION RIGHTS: Education is compulsory between five and 16. An estimated 30,000 Haitians reside in the Bahamas legally and are provided for within the education system.

CHILD LABOUR: The law prohibits the employment of children under the age of 14 for industrial work, work during school hours, or work at night. There is no legal minimum age for employment in other sectors, and some children work part time in light industry and service jobs.

TRADE UNION RIGHTS: Private sector and most public sector workers, including teachers, may form or join unions without prior approval. Almost one-quarter of the work force (and one-half the workers in the important hotel industry) belong to unions. In order to resolve disputes more quickly, the Industrial Relations Act was amended in 1996 to establish an industrial tribunal. According to the act, labour disputes are first filed with the Ministry of Labour and then, if not resolved, are turned over to the tribunal. Workers freely exercise their right to organise and participate in collective bargaining, which the law protects.

EI member organisations:
Bahamas Association of School Administrators (BASA)
Membership: 435

Bahamas Union of Teachers (BUT)
Membership: 2,000

BARBADOS - Population: 257,731

Population < 25:	41.9%	Life Expectancy at birth:	73.6m/78.7f
Illiteracy:	2%m/3.2%f	School Life Expectancy (years):	N/A
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	N/A	Tertiary students per 100,000 inhabitants:	2,501
% of GNP spent on education:	7.2%	% of Govt. expenditure on education:	19%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138	169

EDUCATION RIGHTS: Education is free for children between the ages of five and 16. In the late 1980s, approximately 31,700 pupils were enrolled in primary schools and 25,300 were enrolled in secondary schools. A campus of the University of West Indies was established in Bridgetown in 1963.

CHILD LABOUR: The legal minimum working age of 16 is broadly observed. Compulsory primary and secondary education policies, which require school attendance until age 16, reinforce minimum age requirements. The Labour department has a small cadre of inspectors who conduct spot investigations of enterprises and check records to verify compliance with the law. These inspectors may take legal action against any employer who is found to have underage workers.

TRADE UNION RIGHTS: The Caribbean Congress of Labour has its headquarters in Barbados. All private and public sector employees are permitted to strike, but essential workers may strike only under certain circumstances. In response to the very stringent economic conditions proposed for Barbados by the International Monetary Fund and the World Bank in the early 1990s, trade unions joined together with the employers to negotiate with Government. An agreement was signed between government, unions and employers in August 1995 which covered both prices and salaries. A further accord covered 1995-97. The accord provides that anyone operating in Barbados must respect freedom of association and the right to organise and bargain collectively, and children must go to school.

EI member organisations:
Barbados Secondary Teachers' Union (BSTU)
Membership: 383

Barbados Union of Teachers (BUT)
Membership: 1,894

BELIZE - Population: 224,663

Population < 25:	51.7%	Life Expectancy at birth:	73.4m/76.1f
Illiteracy:	29.7%	School Life Expectancy (years):	10.6m/10.4f
Net enrolment first level:	100%m/98%f	% of 1994 cohort reaching grade 5:	71%m/70%f
Primary Pupil Teacher Ratio:	26	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	6.1%	% of Govt. expenditure on education:	21.3%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓			

EDUCATION RIGHTS: Education is compulsory for children between the ages of 5 and 14.but there and many truants and dropouts. In the late 1980s, some 39,800 pupils were enrolled in primary schools and about 7,300 students were enrolled in secondary schools. Higher education is available at colleges in Belize City and Corozal.

CHILD LABOUR: The minimum age for employment is 14 years, or 17 years for employment near hazardous machinery. Inspectors from the Ministry of Labour and Education enforce this regulation according to law but in practice school truancy officers bare the brunt of the burden. In recent years they have been less active.

TRADE UNION RIGHTS: Workers are free to establish and join trade unions. The law permits unions to strike; essential service unions must give three weeks notice. The law provides for collective bargaining and it is freely practiced throughout the country.

EI member organisation:
Belize National Teachers' Union (BNTU)
Membership: 1,400

CANADA - Population: 29,123,194

Population < 25:	N/A	Life Expectancy at birth:	76.1m/81.8f
Illiteracy:	Negligible	School Life Expectancy (years):	17.2m/17.8f
Net enrolment first level:	96%m/94%f	% of 1994 cohort reaching grade 5:	99%
Primary Pupil Teacher Ratio:	16	Tertiary students per 100,000 inhabitants:	6,984
% of GNP spent on education:	7.3%	% of Govt. expenditure on education:	10.2%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
		✓		✓	✓	✓		

EDUCATION RIGHTS: Education is generally compulsory for children from ages six or seven to ages 15 or 16, depending on the province in which they live and it is free until the completion of secondary school studies. In the early 1990s, Canada had more than 16,000 elementary and secondary schools with total enrolment of nearly 5.3 million students. The federal and provincial governments fund the university system in Canada, and students pay a small portion of the cost. Universities are still the predominant institutions offering higher education, but the number of non-university post-secondary institutions, particularly community colleges has increased sharply in recent decades. In the early 1990s, Canada had 69 degree-granting universities and colleges, which together enrolled some 572,900 full-time students. Provinces outside of Quebec often lack adequate French-language schooling, which is of concern to local francophones, although French-language schools and French immersion classes are reported to be thriving in all three prairie provinces. According to the 1996 census, 799,010 - three percent of Canada's total population - identified themselves as members of an Aboriginal group: Indian (First Nations), Metis, or Inuit. The Royal Commission on Aboriginal Peoples concluded that schooling continues to be an alienating experience for Aboriginal students. It put forward a series of recommenations designed to support Aboriginal peoples need to effect change and to be self-governing in education as elsewhere.

CHILD LABOUR: Child labour legislation varies from province to province. The federal Government does not employ youths under 17 years of age while school is in session. Most provinces prohibit children under age 15 or 16 from working without parental consent, or at night, or in any hazardous employment. These prohibitions are effectively enforced.

TRADE UNION RIGHTS: In October 1997 teachers in Ontario province staged a massive strike to protest the provincial government's reorganisation plans for the school system. The Federal Government and the various Provincial Governments continue to use legislation, and the threat of legislation, to interfere in the collective bargaining process in violation of the trade union rights of public employees. For instance, in 1996 the Federal Government amended the Budget Implementation Act to prohibit job security provisions in collective agreements for a period of three years. The new law is the fifth legislative intervention in collective bargaining for public employees by the federal government since 1991. Existing collective agreements have been repeatedly extended, and wage restraints have been imposed. Over the past five years EI has supported member organisations in Quebec, Ontario, Yukon, Prince Edward Island and Manitoba to lodge complaints with the ILO about violations of the right to collective bargaining. In each case the ILO's Committee on Freedom of Association has reached conclusions supportive of the union's case. In the most recent case, that of Manitoba, the Committee on Freedom of Association, in June 1998, urged the Government to repeal amendments to the Public Schools Act of Manitoba that circumscribed the jurisdiction of arbitrators and to consult in good faith on any changes in the bargaining structure. Of the civilian Canadian labour force, 29.5 percent is unionised (1997).

EI member organisations:
Centrale de l'Enseignement du Québec (CEQ)
Membership: 51,401

Canadian Teachers' Federation/Fédération Canadienne des Enseignants (CTF/FCE)
Membership: 241,500

Féderation Québécoise des Professeures et Professeurs d'Université (FQPPU)
Membership: 4,000

DEPENDENT TERRITORIES OF THE UNITED KINGDOM IN NORTH AMERICA AND THE CARIBBEAN

There are four dependent territories of the United Kingdom in the region, where EI has member organisations.

ANGUILLA - Population: 10, 785

Population < 25:	N/A	Life Expectancy at birth:	71.1m/76.7f
Illiteracy:	5%		

BERMUDA - Population: 62,568

Population < 25:	65.1%	Life Expectancy at birth:	73.3m/76.9f
Illiteracy:	2%		

BRITISH VIRGIN ISLANDS - Population: 13,368

Population < 25:	52.8%	Life Expectancy at birth:	70.9m/74.8f
Illiteracy:	2.2%		

MONTSERRAT - Population: 4,200 (est. September 1997)
12,800 (Prior to evacuation)

Population < 25:	65.1%	Life Expectancy at birth:	73.3m/76.9f
Illiteracy:	2%		

EI member organisations:

Anguilla Teachers' Union (ATU)
Membership: 66

Bermuda Union of Teachers (BUT)
Membership: 652

British Virgin Islands Teachers' Union (BVITU)
Membership: 1,000

Montserrat Union of Teachers (MUT)
Membership: 102

For the past three years the people of Montserrat have been living under the threat of volcanic eruptions. Parts of the island, including the capital, are uninhabitable. Many members of EI affiliate, the Montserrat Union of Teachers, like their fellow citizens, have had to evacuate their homes and are living in shelters with friends and relatives. Some teachers' homes have been completely covered in lava and they have lost all their possessions. A number of teachers have left the island. Others remain to teach in a very stressful environment. Thousands of refugees fleeing Montserrat have settled in neighbouring states. Antigua has asked the United Kingdom for help in meeting the serious burden this influx of refugees has placed on its social services.

SCHO
WORK

DOMINICA - Population: 83,226

Population < 25:	62.2%	Life Expectancy at birth:	74.7m/80.6f
Illiteracy:	10%	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	81%m/87%f
Primary Pupil Teacher Ratio:	29	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:

29	87	98	100	105	111	138	169
✓	✓	✓	✓	✓	✓	✓	

EDUCATION RIGHTS: Education is compulsory until the age 16. There is a significant Carib Indian population (estimated at 3,000). Most live on a 3,000-acre reservation created in 1903. School facilities available on the Carib reservation are rudimentary.

CHILD LABOUR: The minimum legal age for employment is 15 years. Employers generally observe this law without government enforcement.

TRADE UNION RIGHTS: All workers have the legal right to organise, to choose their representatives, and to strike, but unions represent less than 10 percent of the work force. Unions have legally defined rights to organise workers and to bargain with employers. Collective bargaining is widespread in the non-agricultural sectors of the economy, including the government service.

EI member organisation:
Dominica Association of Teachers (DAT)
Membership: 600

GRENADA - Population: 95,537

Population < 25:	64%	Life Expectancy at birth:	68.6m/73.7f
Illiteracy:	2%	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	23	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	N/A	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓			

EDUCATION RIGHTS: Education is free and compulsory for children between the ages of six and 14 years.

CHILD LABOUR: Child labour is illegal and does not occur in the formal sector. The statutory minimum age for employment of children is 18 years. Inspectors from the Ministry of Labour enforce this provision in the formal sector by periodic checks. Enforcement efforts in the informal sector are lax.

TRADE UNION RIGHTS: Between 20 and 25 percent of the work force is unionised. Union leaders play a significant role in the political process, and one labour leader serves in the Senate on behalf of the Grenada Trades' Union Council. Workers in the private and public sectors are free to strike, once legal and procedural requirements are met. Workers are free to organise and to participate in collective bargaining.

EI member organisation:
Grenada Union of Teachers (GUT)
Membership: 1,500

GUYANA - CO-OPERATIVE REPUBLIC OF GUYANA

Population: 706,116

Population < 25:	67.6%	Life Expectancy at birth:	61.1m/67.9f
Illiteracy:	1.4%m/2.5%f	School Life Expectancy (years):	9.4m/9.7f
Net enrolment first level:	90%m/89%f	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	29	Tertiary students per 100,000 inhabitants:	846
% of GNP spent on education:	4.1%	% of Govt. expenditure on education:	8.1%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHT: Although the Government provides free education up to secondary school, lack of resources has contributed to a severe deterioration of the public education and health care systems. Children are often not given the opportunity to attend school because their families need them to contribute to running the household or providing child care. In the late 1980s about 135,000 pupils were enrolled in 425 primary schools, and some 73,400 students annually attended 100 secondary, technical and teacher-training institutions. The University of Guyana is attended by about 2,500 students.

The population of Guyana is made up of six main groups: Africans, Amerindiens, Chinese, Indians and Metis. The Indigenous Amerindiens make up five percent of the population. Policies encourage their full participation in the education system; however, all teaching is in English and Indigenous languages are facing extinction.

CHILD LABOUR: Legally, no person under age 14 may be employed in any industrial undertaking and no person under age 16 may be employed at night, except under regulated circumstances. The law permits children under age 14 to be employed only in enterprises in which members of the same family are employed. However, it is common to see very young children engaged in street trading in the capital, Georgetown. The Ministry of Labour does not employ sufficient inspectors to enforce existing laws effectively and the administration of justice for children is characterised by a system that lacks social services or trained staff to deal with the exploitation of children or cases of child abuse or child neglect.

TRADE UNION RIGHTS: Approximately 34 percent of the work force is unionised. Most union members work in the public sector and in state-owned enterprises. There is one major national federation, the Guyana Trades' Union Congress, which is made up of 22 unions. Public and private sector employees are free to organise and bargain collectively.

EI member organisation:
Guyana Teachers' Union
(GTU)
Membership: 7,632

HAITI - REPUBLIC OF HAITI

Population: 6,611,407

Population < 25:	58.2%	**Life Expectancy at birth:**	52.8m/56f
Illiteracy:	52%m/57.8%f	**School Life Expectancy (years):**	N/A
Net enrolment first level:	N/A	**% of 1994 cohort reaching grade 5:**	N/A
Primary Pupil Teacher Ratio:	N/A	**Tertiary students per 100,000 inhabitants:**	N/A
% of GNP spent on education:	N/A	**% of Govt. expenditure on education:**	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: By law, education is free and compulsory for children between the ages of seven and 13. In fact, three-quarters of all Haiti's primary schools and 90 percent of its secondary schools are fee-paying. There are far too few public schools to accommodate the country's children, especially in rural areas. Access to education is sharply limited by location, the availability of teachers, and by the fact that classes are taught exclusively in French, which is spoken by only about 20 percent of the population, as distinct from Creole, which is spoken by virtually all Haitians. Class sizes of up to 100 pupils are not unusual. Poorer families sometimes ration education money to pay for school clothes and supplies for male children only. Only about 40 percent of the 1.3 million eligible children actually attend school. An EI study found that in 1989 90 percent of primary school teachers lacked basic training. In 1995, EI affiliate, CNEH, succeeded in convincing the government to adopt a 10-year national education plan. Procedural delays have so far (June 1998) prevented the plan from being adopted by parliament.

The University of Haiti has colleges of medicine, law, business, agronomy, social sciences, architecture and engineering. It has about 1500 students. Many university-level students attend foreign universities.

CHILD LABOUR: The minimum legal age in all sectors is 15 years. The Labour Code prohibits minors under the age of 18 from working at night in industrial enterprises. Fierce adult competition for jobs ensures that child labour is not a factor in the industrial sector. Children under the age of 15 commonly work at informal sector jobs to supplement family income, despite the legal prohibition.

The Labour Code also prohibits forced or compulsory labour, but many rural families send their young children to serve as unpaid domestic labour for more affluent lower-middle and lower class city dwellers. The Ministry of Social Affairs believes that many employers compel the children to work long hours, provide them with little nourishment, and frequently beat and abuse them. One international organisation estimated that 250,000 to 300,000 children, 85 percent of them girls, may be victims of this practice. Port-au-Prince's large population of street children includes many runaways from domestic servitude.

TRADE UNION RIGHTS: Workers, including those in the public sector have the right to form and join unions without prior government authorisation. Unions are independent of the Government and political parties. CNEH members were among a number of professional groups who went on strike in 1997. The Government negotiated with the union.

Collective bargaining is non-existent and employers set wages unilaterally.

EI member organisation:
Confédération Nationale des Enseignants d'Haïti (CNEH)
Membership: 13,000

JAMAICA - Population: 2,615,582

Population < 25:	59.9%	Life Expectancy at birth:	72.4m/76.8f
Illiteracy:	19.2%m/10.9%f	School Life Expectancy (years):	10.8m/11.1f
Net enrolment first level:	100%	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	37	Tertiary students per 100,000 inhabitants:	667
% of GNP spent on education:	8.2%	% of Govt. expenditure on education:	7.7%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138	169

EDUCATION RIGHTS: The Education Act stipulates that all children between six and 11 years of age must attend elementary school. Nearly two-thirds of all 12- to 18-year-olds attended secondary institutions. The enrolment in primary schools is about 390,000; in secondary and vocational schools, 164,300.

A major institution of higher learning for the entire Caribbean region is the University of the West Indies, at Kingston. The University has more than 5,000 students. Jamaica also has a number of vocational and technical schools, teacher-training colleges, and a college of arts, science and technology.

CHILD LABOUR: The Juvenile Act provides that children under the age of 12 shall not be employed except by parents or guardians, and that such employment may only be in domestic, agricultural, or horticultural work. Enforcement, however, is erratic. Children under the age of 12 sell goods and services on city streets, but there is no evidence of widespread illegal employment of children in other sectors of the economy.

TRADE UNION RIGHTS: The law provides for the right to form or join a trade union, and unions function freely and independently of the Government. Workers in 10 broad categories of 'essential services' are prohibited from striking, a provision the ILO has repeatedly condemned as overly inclusive. All parties are committed to collective bargaining.

EI member organisation:
Jamaica Teachers' Association (JTA)
Membership: 16,000

SAINT LUCIA - Population: 159,639

Population < 25:	N/A	Life Expectancy at birth:	68m/75f
Illiteracy:	N/A	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	91%m/97%f
Primary Pupil Teacher Ratio:	27	Tertiary students per 100,000 inhabitants:	725
% of GNP spent on education:	9.9%	% of Govt. expenditure on education:	22.2%

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓	✓	✓	✓		

EDUCATION RIGHTS: Education is free and compulsory from age five until 15.

CHILD LABOUR: There were no reports of breaches of the Children and Young Persons Act which stipulates a minimum legal working age of 14 years.

TRADE UNION RIGHTS: The Constitution specifies the right of workers to form and belong to trade unions, and most public sector employees are unionised. Strikes in both the public and private sectors are legal. Unions have the legal right to engage in collective bargaining. The Government consults with the St Lucia Teachers' Union.

EI member organisation:
St Lucia Teachers' Union (SLTU)
Membership: 1,409

SAINT KITTS AND NEVIS - FEDERATION OF SAINT KITTS & NEVIS

Population: 41,802

Formerly - Federation of Saint Christopher and Nevis

Population < 25:	N/A	**Life Expectancy at birth:**	(1991) 65m/70f
Illiteracy:	3%m/7%f	**School Life Expectancy (years):**	N/A
Net enrolment first level:	N/A	**% of 1994 cohort reaching grade 5:**	N/A
Primary Pupil Teacher Ratio:	21	**Tertiary students per 100,000 inhabitants:**	1,024
% of GNP spent on education:	3.3%	**% of Govt. expenditure on education:**	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169

EDUCATION RIGHTS: Education is compulsory up to the age of 16

CHILD LABOUR: The minimum legal working age is 14 years. School truant officers and the Labour Ministry effectively monitor compliance.

TRADE UNION RIGHTS: The Constitution provides for the right of all workers to form and belong to trade unions. The right to strike is well established and respected in practice. Unions are free to organise and to negotiate for better wages and benefits for union members.

EI member organisations:
Nevis Teachers' Union (NTU)
Membership: 84

St. Kitts Teachers' Union (SKTU)
Membership: 190

SAINT VINCENT & THE GRENADINES - Population: 119,092

Population < 25:	N/A	**Life Expectancy at birth:**	71.7m/74.8f
Illiteracy:	3.1%m/2.3%f	**School Life Expectancy (years):**	N/A
Net enrolment first level:	95%	**% of 1994 cohort reaching grade 5:**	93%m/96%f
Primary Pupil Teacher Ratio:	20	**Tertiary students per 100,000 inhabitants:**	2,223
% of GNP spent on education:	2.8%	**% of Govt. expenditure on education:**	13.3%

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions: 29 87 98 100 105 111 138 169

EDUCATION RIGHTS: Education is not compulsory, but the Government states that it investigates cases where children are withdrawn from school before the age of 16.

CHILD LABOUR: There is no known child labour except for children working on family-owned banana plantations, particularly during harvest time, or in family-owned cottage industries. The law sets the minimum working age at 16 years, although a worker must be 18 years of age to receive a national insurance card.

TRADE UNION RIGHTS: Workers have the constitutional right to form and join unions, while the Trade Unions and Trade Disputes Act allows the right to strike. There are no legal obstacles to organising unions; however, no law requires employers to recognise a particular union as an exclusive bargaining agent.

EI member organisation:
St. Vincent & the Grenadines Teachers' Union
Membership: 1,209

SURINAME - REPUBLIC OF SURINAME

Population: 443,446

Population < 25:	37.3%	Life Expectancy at birth:	69m/74m
Illiteracy:	4.9%m 9%f	School Life Expectancy (years):	N/A
Net enrolment first level:	N/A	% of 1994 cohort reaching grade 5:	N/A
Primary Pupil Teacher Ratio:	21	Tertiary students per 100,000 inhabitants:	N/A
% of GNP spent on education:	3.5%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child: ✓

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
	✓	✓	✓		✓			

EDUCATION RIGHTS: School attendance is free and compulsory until 12 years of age, but some school-age children do not have access to education because of lack of transportation, facilities, or teachers. The Indigenous Maroons and Amerindians, who live in remote areas of the interior are especially disadvantaged.

About 100,200 students were enrolled annually in elementary, secondary, vocational and teacher-training schools in the early 1990s. The University of Suriname, is in Paramaribo.

CHILD LABOUR: The law sets the minimum age for employment at 14 years, however, it is only enforced sporadically. Children under 14 years of age work as street vendors, newspaper sellers, or shop assistants in Paramaribo, and both in the capital and in rural areas children face increasing economic pressure to discontinue their education in order to work. The legal age of consent is 12 and some children are exploited for prostitution.

TRADE UNION RIGHTS: Civil servants have no legal right to strike or mount other union actions, but in practice do so. The Constitution explicitly recognises the right to organise and bargain collectively.

EI member organisation:
ond van Leraren (BL)
Membership: 512

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TRINIDAD AND TOBAGO - REPUBLIC OF TRINIDAD AND TOBAGO

Population: 1,273,141

Population < 25:	48.7%	Life Expectancy at birth:	71.5m/76.2f
Illiteracy:	1.2%m/3%f	School Life Expectancy (years):	10.1m/11.3f
Net enrolment first level:	83%m/94%f	% of 1994 cohort reaching grade 5:	95%
Primary Pupil Teacher Ratio:	25	Tertiary students per 100,000 inhabitants:	751
% of GNP spent on education:	4.5%	% of Govt. expenditure on education:	N/A

Ratification of UN Convention on Rights of the Child:	✓							
Ratification of fundamental ILO Conventions:	29 ✓	87 ✓	98 ✓	100 ✓	105 ✓	111 ✓	138	169

EDUCATION RIGHTS: Education is free and compulsory for children between the ages of six and 12. Some parts of the public school system fail to meet the needs of the school age population due to overcrowded, substandard physical facilities, and occasional classroom violence by gangs.

Higher education is provided by teacher-training colleges, technical institutes, and the University of West Indies, which has faculties in the arts, social sciences, natural sciences, education, agriculture, medicine, and engineering on the Trinidad-Tobago Campus in Saint Augustine, Trinidad.

CHILD LABOUR: The minimum legal age for workers is 12 years. Children from 12 to 14 years may work only in family businesses. The enforcement of the child labour law is lax. There is no organised exploitation of child labour, but children are often seen begging or working as street vendors. Some children are used by criminals as guards and couriers.

TRADE UNION RIGHTS: All workers, including those in state-owned enterprises may form or join unions of their own choosing. Government employees do not have the right to strike. The Industrial Relations Act establishes the right of workers to collective bargaining. T & TUTA has had to resort to industrial action to have the government negotiate salary and other issues of concern to teachers.

EI member organisation:
Trinidad & Tobago
Unified Teachers'
Association (T&TUTA)
Membership: 8,400

UNITED STATES OF AMERICA - Population: 267,954,767

RESPONSIBILITIES - Outlying US areas - **American Samoa** (Population 59,566), **Guam** (Population 156,974), **Commonwealth of the North Mariana Islands** (Population 52,284), **Commonwealth of Puerto Rico** (Population 3,782,862), **Virgin Islands** (Population 97,120)

Population < 25:	38.9%	**Life Expectancy at birth:**	73.4m/80.1f
Illiteracy:	N/A	**School Life Expectancy (years):**	15.4m/16.2f
Net enrolment first level:	96%m/97%f	**% of 1994 cohort reaching grade 5:**	N/A
Primary Pupil Teacher Ratio:	16	**Tertiary students per 100,000 inhabitants:**	5,395
% of GNP spent on education:	5.3%	**% of Govt. expenditure on education:**	14.2%

Ratification of UN Convention on Rights of the Child:

Ratification of fundamental ILO Conventions:	29	87	98	100	105	111	138	169
					✓			

EDUCATION RIGHTS: There are some 60,000 public primary and 20,000 public secondary schools in the United States, in addition to 4,826 special-purpose or combined schools. Enrolment in public schools totals about 31 million pupils at primary level, and about 11.7 million secondary students. In addition, private primary and secondary schools together enrol nearly 5 million students. The largest system of private education in the United States is that provided by the Roman Catholic Church, with some 2.6 million students. Pre-school enrolment increased sharply between 1970 and the early 1990s, from about 1.1 million to about 2.9 million children. College and university enrolment also increased substantially in the same period: from some 8.6 million students to 14.5 million. Of the total school enrolment, whites constitute about 83 percent, Afro-Americans about 10 percent, and Hispanic and other Americans, about 7 percent.

In most of the United States, illiteracy has been virtually eliminated. However, census estimates suggest that 2.4 percent of the population over age 25 is functionally illiterate. In 1993 nearly 22 percent of the population completed four or more years of higher education.

Primary and secondary education involves 12 years schooling, the successful completion of which leads to a high school diploma. In theory, responsibility for operating the public education system is local. In fact, much of the local control has been superseded, and state legislation controls financing methods, academic standards, and policy and curriculum guidelines. Because public education is separately developed within each state, variations exist from one state to another. Public primary and secondary education is supported financially by three levels of government - local, state and federal. Local school districts often levy property taxes, which are the major source of financing for the public school system. Wealthy communities can afford to pay more per student than poorer communities; consequently, the disparity in wealth affects the quality of education received. Some states have taken measures to level this imbalance by distributing property tax collections to school districts based on the number of students enrolled.

CHILD LABOUR: In 1938 Congress recognised the problem of 'oppressive child labor' by enacting the Fair Labor Standards Act (FLSA). Under the Act, children under 18 are prohibited from undertaking 17 types of hazardous work, including mining, roofing, saw-milling, demolition, and working with radio active materials; children under the age of 16 are barred from working in factories or during school hours; children under 14 are prohibited from most jobs except farming; and children under 12 may only undertake work on their family's farm. Since the passage of the FLSA, child labour in the United States has declined, although it is far from eradicated. The United States of America has 4 million working children. A 1997 survey, based on federal government data, reveals that some 290,000 children are working illegally. The survey admits to being incomplete because it is unable to account for the most easily exploited: children of migrant workers, illegal immigrants, and the very young. The greatest number of children employed unlawfully work in the agricultural and the horticultural sectors, where they are often unprotected from harmful pesticides, and work far below the normal minimum wage. Some 14,000 children under the age of 14, and as young as 9 years, work in garment 'sweatshops'. Underage child workers are also employed in such industries as meatpacking, construction, in sawmills and furniture factories, as well as in the informal sector. The US Department of Labor enforces child labour laws inadequately.

TRADE UNION RIGHTS: The right to strike and the right of workers to organise trade unions are not adequately protected in the labour legislation of the USA. The law is unable to protect workers when the employer is determined to destroy or prevent trade union representation. For every thirty people who vote for a union in elections in any one year, one union supporter will be illegally fired in 25 percent of all union-organising campaigns. Because trade union organising in the USA often involves costly litigation, the right to join trade unions and participate in collective bargaining is, in practice, denied to large segments of the work

EI member organisations:
American Federation of Teachers (AFT)
Membership: 550,000

National Education Association (NEA)
Membership: 1,775,806

force. The inadequacy of laws is not limited to the private sector. Approximately 40 percent of all public sector workers, more than 7 million people, are still denied basic collective bargaining rights. Over 2 million employees of the federal government are governed by the 1978 Federal Labor Relations Act, which outlaws strikes, proscribes collective bargaining over hours, wages and economic benefits, and imposes an excessive definition of management rights which further limits the scope of collective bargaining rights. Education, particularly in primary and secondary schools is one of the most highly unionised sectors of the USA labour market.

ERRATA

p 19	**Botswana,** Primary pupil teacher ratio: 26
p 21	**Burkina Faso** has ratified ILO Convention 105
p 23	**Burundi** has ratified ILO Conventions 98 and 105
p 27	**Cape Verde** did not ratify ILO Convention 87
p 31	**Chad,** male illiteracy: 37.9%
p 33	**Rep. of Congo,** Rate of tertiary students is not available
p 35	**Democratic Republic of Congo**
	Child Labour, line 4 read 8 hours instead of 18
p 45	**Ethiopia**
	did not ratify ILO Convention 100
	% of GNP spent on education: 4.7%
	% of Govt. expenditure on education: 13%
p 65	**Malawi,** Tertiary students per 100,000 inhabitants: 76
p 73	**Mozambique,** Net enrolment first level: 45%m/35%f
p 91	**Tanzania** has ratified ILO Convention 105
p 107	**Bangladesh** has not ratified ILO Convention 100
p 113	**Cook Islands**
	% of 1994 cohort reaching grade 5: 84%
	Rate of tertiary students is not available
p 115	**Fiji** did not ratify ILO Convention 87
p 117	**India,** % of Govt. expenditure on education: 12.1%
p 257	**Colombia**
	% of GNP spent on education: 3.5%
	Life expectancy: 68.2m
p 269	**El Salvador** ratified ILO Convention 105
p 275	**Mexico** ratified ILO Convention 169
p 281	**Paraguay** ratified ILO Convention 169
p 283	**Peru** ratified ILO Convention 169
p 287	**Venezuela**
	Primary pupil teacher ratio: 23
	Rate of tertiary students is not available

UN CONVENTION ON THE RIGHTS OF THE CHILD (1989)

PREAMBLE

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth",

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

PART I

Article 1

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.
3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

Article 5

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Article 6

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality,

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name and family relations as recognized by law without unlawful interference.

2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to speedily re-establishing his or her identity.

Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.
2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.
3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.
4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

Article 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.
2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 2, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (ordre public), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 11

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.
2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

   (a) For respect of the rights or reputations of others; or

   (b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.
2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of the law against such interference or attacks.

Article 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

(a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;

(b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

(c) Encourage the production and dissemination of children's books;

(d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;

(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.
2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.
3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child
2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 21

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

(a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;

(b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;

(c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;

(d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;

(e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.
2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community
2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.
3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.
4. States Parties shall promote, in the spirit of international co-operation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.
2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations cooperating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

2 States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

(a) To diminish infant and child mortality;

(b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

(c) To combat disease and malnutrition, including within the framework of primary health care, through, iner alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

(d) To ensure appropriate pre-natal and post-natal health care for mothers;

(e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;

(f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.
4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

Article 25

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

Article 26

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.
2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.
2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.
3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.
4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

   (a) Make primary education compulsory and available free to all;

   (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

   (c) Make higher education accessible to all on the basis of capacity by every appropriate means;

   (d) Make educational and vocational information and guidance available and accessible to all children;

   (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.
2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.
3. tates Parties shall promote and encourage international co-operation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:

   (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

   (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

   (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living; the country from which he or she may originate, and for civilizations different from his or her own;

   (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

(e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

   (a) Provide for a minimum age or minimum ages for admission to employment;

   (b) Provide for appropriate regulation of the hours and conditions of employment;

   (c) Provide for appropriate penalties or other sanctions to ensure the, effective enforcement of the present article.

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

(a) The inducement or coercion of a child to engage in any unlawful sexual activity;

(b) The exploitative use of children in prostitution or other unlawful sexual practices;

The exploitative use of children in pornographic performances and materials

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37

States Parties shall ensure that:

(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;

(b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;

(c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;

(d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.
3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.
4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.
2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

   (a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;

   (b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

      (i) To be presumed innocent until proven guilty according to law;

      (ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;

      (iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;

(iv) Not to be compelled to give testimony or to confess quilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

(vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

Article 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

(a) The law of a State Party; or

(b) International law in force for that State.

PART II

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.

2. The Committee shall consist of ten experts of high moral standing and recognized competent in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.

3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of

the votes of the representatives of States Parties present and voting.

6. The members of the Committee shall be elected for a term of four years They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.
7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.
8. The Committee shall establish its own rules of procedure.
9. The Committee shall elect its officers for a period of two years.
10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, it necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.
11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.
12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

Article 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights:

   (a) Within two years of the entry into force of the Convention for the State Party concerned;

   (b) Thereafter every five years.
2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfillment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.
3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.
4. The Committee may request from States Parties further information relevant to the implementation of the Convention.
5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.
6. States Parties shall make their reports widely available to the public in their own countries.

Article 45

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

(a) The specialized agencies, the United Nations Children's Fund, and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;

(b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;

(c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;

(d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

PART III

Article 46

The present Convention shall be open for signature by all States.

Article 47

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.
2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Article 50

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.
2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.
3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

Article 51

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.
2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.
3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect an the date on which it is received by the Secretary-General.

Article 52

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

Article 53

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

In witness thereof the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

323

ILO CONVENTION 29: FORCED LABOUR, 1930

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Fourteenth Session on 10 June 1930, and

Having decided upon the adoption of certain proposals with regard to forced or compulsory labour, which is included in the first item on the agenda of the Session, and

Having determined that these proposals shall take the form of an international Convention,

adopts the twenty-eighth day of June of the year one thousand nine hundred and thirty, the following Convention, which may be cited as the Forced Labour Convention, 1930, for ratification by the Members of the International Labour Organisation in accordance with the provisions of the Constitution of the International Labour Organisation:

Article 1

1. Each Member of the International Labour Organisation which ratifies this Convention undertakes to suppress the use of forced or compulsory labour in all its forms within the shortest possible period.
2. With a view to this complete suppression, recourse to forced or compulsory labour may be had, during the transitional period, for public purposes only and as an exceptional measure, subject to the conditions and guarantees hereinafter provided.
3. At the expiration of a period of five years after the coming into force of this Convention, and when the Governing Body of the International Labour Office prepares the report provided for in Article 31 below, the said Governing Body shall consider the possibility of the suppression of forced or compulsory labour in all its forms without a further transitional period and the desirability of placing this question on the agenda of the Conference.

Article 2

1. For the purposes of this Convention the term forced or compulsory labour shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.

2. Nevertheless, for the purposes of this Convention, the term forced or compulsory labour shall not include

   (a) any work or service exacted in virtue of compulsory military service laws for work of a purely military character;

   (b) any work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country;

   (c) any work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations;

   (d) any work or service exacted in cases of emergency, that is to say, in the event of war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population;

   (e) minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such services.

Article 3

For the purposes of this Convention the term competent authority shall mean either an authority of the metropolitan country or the highest central authority in the territory concerned.

Article 4

1. The competent authority shall not impose or permit the imposition of forced or compulsory labour for the benefit of private individuals, companies or associations.
2. Where such forced or compulsory labour for the benefit of private individuals, companies or associations

exists at the date on which a Member's ratification of this Convention is registered by the Director-General of the International Labour Office, the Member shall completely suppress such forced or compulsory labour from the date on which this Convention comes into force for that Member.

Article 5

1. No concession granted to private individuals, companies or associations shall involve any form of forced or compulsory labour for the production or the collection of products which such private individuals, companies or associations utilise or in which they trade.
2. Where concessions exist containing provisions involving such forced or compulsory labour, such provisions shall be rescinded as soon as possible, in order to comply with Article 1 of this Convention.

Article 6

Officials of the administration, even when they have the duty of encouraging the populations under their charge to engage in some form of labour, shall not put constraint upon the said populations or upon any individual members thereof to work for private individuals, companies or associations.

Article 7

1. Chiefs who do not exercise administrative functions shall not have recourse to forced or compulsory labour.
2. Chiefs who exercise administrative functions may, with the express permission of the competent authority, have recourse to forced or compulsory labour, subject to the provisions of Article 10 of this Convention.
3. Chiefs who are duly recognised and who do not receive adequate remuneration in other forms may have the enjoyment of personal services, subject to due regulation and provided that all necessary measures are taken to prevent abuses.

Article 8

1. The responsibility for every decision to have recourse to forced or compulsory labour shall rest with the highest civil authority in the territory concerned.
2. Nevertheless, that authority may delegate powers to the highest local authorities to exact forced or compulsory labour which does not involve the removal of the workers from their place of habitual residence. That authority may also delegate, for such periods and subject to such conditions as may be laid down in the regulations provided for in Article 23 of this Convention, powers to the highest local authorities to exact forced or compulsory labour which involves the removal of the workers from their place of habitual residence for the purpose of facilitating the movement of officials of the administration, when on duty, and for the transport of Government stores.

Article 9

Except as otherwise provided for in Article 10 of this Convention, any authority competent to exact forced or compulsory labour shall, before deciding to have recourse to such labour, satisfy itself

(a) that the work to be done or the service to be rendered is of important direct interest for the community called upon to do work or render the service;

(b) that the work or service is of present or imminent necessity;

(c) that it has been impossible to obtain voluntary labour for carrying out the work or rendering the service by the offer of rates of wages and conditions of labour not less favourable than those prevailing in the area concerned for similar work or service; and

(d) that the work or service will not lay too heavy a burden upon the present population, having regard to the labour available and its capacity to undertake the work.

Article 10

1. Forced or compulsory labour exacted as a tax and forced or compulsory labour to which recourse is had for the execution of public works by chiefs who exercise administrative functions shall be progressively abolished.
2. Meanwhile, where forced or compulsory labour is exacted as a tax, and where recourse is had to forced or compulsory labour for the execution of public works by chiefs who exercise administrative functions, the authority concerned shall first satisfy itself

(a) that the work to be done or the service to be rendered is of important direct interest for the community called upon to do the work or render the service;

(b) that the work or the service is of present or imminent necessity;

(c) that the work or service will not lay too heavy a burden upon the present population, having regard to the labour available and its capacity to undertake the work;

(d) that the work or service will not entail the removal of the workers from their place of habitual residence;

(e) that the execution of the work or the rendering of the service will be directed in accordance with the exigencies of religion, social life and agriculture.

Article 11

1. Only adult able-bodied males who are of an apparent age of not less than 18 and not more than 45 years may be called upon for forced or compulsory labour. Except in respect of the kinds of labour provided for in Article 10 of this Convention, the following limitations and conditions shall apply:

(a) whenever possible prior determination by a medical officer appointed by the administration that the persons concerned are not suffering from any infectious or contagious disease and that they are physically fit for the work required and for the conditions under which it is to be carried out;

(b) exemption of school teachers and pupils and officials of the administration in general;

(c) the maintenance in each community of the number of adult able-bodied men indispensable for family and social life;

(d) respect for conjugal and family ties.

2. For the purposes of subparagraph (c) of the preceding paragraph, the regulations provided for in Article 23 of this Convention shall fix the proportion of the resident adult able-bodied males who may be taken at any one time for forced or compulsory labour, provided always that this proportion shall in no case exceed 25 per cent. In fixing this proportion the competent authority shall take account of the density of the population, of its social and physical development, of the seasons, and of the work which must be done by the persons concerned on their own behalf in their locality, and, generally, shall have regard to the economic and social necessities of the normal life of the community concerned.

Article 12

1. The maximum period for which any person may be taken for forced or compulsory labour of all kinds in any one period of twelve months shall not exceed sixty days, including the time spent in going to and from the place of work.
2. Every person from whom forced or compulsory labour is exacted shall be furnished with a certificate indicating the periods of such labour which he has completed.

Article 13

1. The normal working hours of any person from whom forced or compulsory labour is exacted shall be the same as those prevailing in the case of voluntary labour, and the hours worked in excess of the normal working hours shall be remunerated at the rates prevailing in the case of overtime for voluntary labour.
2. A weekly day of rest shall be granted to all persons from whom forced or compulsory labour of any kind is exacted and this day shall coincide as far as possible with the day fixed by tradition or custom in the territories or regions concerned.

Article 14

1. With the exception of the forced or compulsory labour provided for in Article 10 of this Convention, forced or compulsory labour of all kinds shall be remunerated in cash at rates not less than those prevailing for similar kinds of work either in the district in which the labour is employed or in the district from which the labour is recruited, whichever may be the higher.
2. In the case of labour to which recourse is had by chiefs in the exercise of their administrative functions, payment of wages in accordance with the provisions of the preceding paragraph shall be introduced as soon as possible. 3. The wages shall be paid to each worker individually and not to his tribal chief or to any other authority.
4. For the purpose of payment of wages the days spent in travelling to and from the place of work shall be counted as working days.
5. Nothing in this Article shall prevent ordinary rations being given as a part of wages, such rations to be at least

equivalent in value to the money payment they are taken to represent, but deductions from wages shall not be made either for the payment of taxes or for special food, clothing or accommodation supplied to a worker for the purpose of maintaining him in a fit condition to carry on his work under the special conditions of any employment, or for the supply of tools.

Article 15

1. Any laws or regulations relating to workmen's compensation for accidents or sickness arising out of the employment of the worker and any laws or regulations providing compensation for the dependants of deceased or incapacitated workers which are or shall be in force in the territory concerned shall be equally applicable to persons from whom forced or compulsory labour is exacted and to voluntary workers.
2. In any case it shall be an obligation on any authority employing any worker on forced or compulsory labour to ensure the subsistence of any such worker who, by accident or sickness arising out of his employment, is rendered wholly or partially incapable of providing for himself, and to take measures to ensure the maintenance of any persons actually dependent upon such a worker in the event of his incapacity or decease arising out of his employment.

Article 16

1. Except in cases of special necessity, persons from whom forced or compulsory labour is exacted shall not be transferred to districts where the food and climate differ so considerably from those to which they have been accustomed as to endanger their health.
2. In no case shall the transfer of such workers be permitted unless all measures relating to hygiene and accommodation which are necessary to adapt such workers to the conditions and to safeguard their health can be strictly applied.
3. When such transfer cannot be avoided, measures of gradual habituation to the new conditions of diet and of climate shall be adopted on competent medical advice.
4. In cases where such workers are required to perform regular work to which they are not accustomed, measures shall be taken to ensure their habituation to it, especially as regards progressive training, the hours of work and the provision of rest intervals, and any increase or amelioration of diet which may be necessary.

Article 17

Before permitting recourse to forced or compulsory labour for works of construction or maintenance which entail the workers remaining at the workplaces for considerable periods, the competent authority shall satisfy itself

(1) that all necessary measures are taken to safeguard the health of the workers and to guarantee the necessary medical care, and, in particular, (a) that the workers are medically examined before commencing the work and at fixed intervals during the period of service, (b) that there is an adequate medical staff, provided with the dispensaries, infirmaries, hospitals and equipment necessary to meet all requirements, and (c) that the sanitary conditions of the workplaces, the supply of drinking water, food, fuel, and cooking utensils, and, where necessary, of housing and clothing, are satisfactory;

(2) that definite arrangements are made to ensure the subsistence of the families of the workers, in particular by facilitating the remittance, by a safe method, of part of the wages to the family, at the request or with the consent of the workers;

(3) that the journeys of the workers to and from the work-places are made at the expense and under the responsibility of the administration, which shall facilitate such journeys by making the fullest use of all available means of transport;

(4) that, in case of illness or accident causing incapacity to work of a certain duration, the worker is repatriated at the expense of the administration;

(5) that any worker who may wish to remain as a voluntary worker at the end of his period of forced or compulsory labour is permitted to do so without, for a period of two years, losing his right to repatriation free of expense to himself.

Article 18

1. Forced or compulsory labour for the transport of persons or goods, such as the labour of porters or boatmen, shall be abolished within the shortest possible period. Meanwhile the competent authority shall promulgate regulations determining, inter alia, (a) that such labour shall only be employed for the purpose of facilitating the movement of officials of the administration, when on duty, or for the transport of Government stores, or, in cases of very urgent necessity, the transport of persons other than officials, (b) that the workers so employed shall be med-

ically certified to be physically fit, where medical examination is possible, and that where such medical examination is not practicable the person employing such workers shall be held responsible for ensuring that they are physically fit and not suffering from any infectious or contagious disease, (c) the maximum load which these workers may carry, (d) the maximum distance from their homes to which they may be taken, (e) the maximum number of days per month or other period for which they may be taken, including the days spent in returning to their homes, and (f) the persons entitled to demand this form of forced or compulsory labour and the extent to which they are entitled to demand it.

2. In fixing the maxima referred to under (c), (d) and (e) in the foregoing paragraph, the competent authority shall have regard to all relevant factors, including the physical development of the population from which the workers are recruited, the nature of the country through which they must travel and the climatic conditions.
3. The competent authority shall further provide that the normal daily journey of such workers shall not exceed a distance corresponding to an average working day of eight hours, it being understood that account shall be taken not only of the weight to be carried and the distance to be covered, but also of the nature of the road, the season and all other relevant factors, and that, where hours of journey in excess of the normal daily journey are exacted, they shall be remunerated at rates higher than the normal rates.

Article 19

1. The competent authority shall only authorise recourse to compulsory cultivation as a method of precaution against famine or a deficiency of food supplies and always under the condition that the food or produce shall remain the property of the individuals or the community producing it.
2. Nothing in this Article shall be construed as abrogating the obligation on members of a community, where production is organised on a communal basis by virtue of law or custom and where the produce or any profit accruing from the sale thereof remain the property of the community, to perform the work demanded by the community by virtue of law or custom.

Article 20

Collective punishment laws under which a community may be punished for crimes committed by any of its members shall not contain provisions for forced or compulsory labour by the community as one of the methods of punishment.

Article 21

Forced or compulsory labour shall not be used for work underground in mines.

Article 22

The annual reports that Members which ratify this Convention agree to make to the International Labour Office, pursuant to the provisions of article 22 of the Constitution of the International Labour Organisation, on the measures they have taken to give effect to the provisions of this Convention, shall contain as full information as possible, in respect of each territory concerned, regarding the extent to which recourse has been had to forced or compulsory labour in that territory, the purposes for which it has been employed, the sickness and death rates, hours of work, methods of payment of wages and rates of wages, and any other relevant information.

Article 23

1. To give effect to the provisions of this Convention the competent authority shall issue complete and precise regulations governing the use of forced or compulsory labour.
2. These regulations shall contain, inter alia, rules permitting any person from whom forced or compulsory labour is exacted to forward all complaints relative to the conditions of labour to the authorities and ensuring that such complaints will be examined and taken into consideration.

Article 24

Adequate measures shall in all cases be taken to ensure that the regulations governing the employment of forced or compulsory labour are strictly applied, either by extending the duties of any existing labour inspectorate which has been established for the inspection of voluntary labour to cover the inspection of forced or compulsory labour or in some other appropriate manner. Measures shall also be taken to ensure that the regulations are brought to the knowledge of persons from whom such labour is exacted.

Article 25

The illegal exaction of forced or compulsory labour shall be punishable as a penal offence, and it shall be an obligation on any Member ratifying this Convention to ensure that the penalties imposed by law are really adequate and are strictly enforced.

Article 26

1. Each Member of the International Labour Organisation which ratifies this Convention undertakes to apply it to the territories placed under its sovereignty, jurisdiction, protection, suzerainty, tutelage or authority, so far as it has the right to accept obligations affecting matters of internal jurisdiction; provided that, if such Member may desire to take advantage of the provisions of article 35 of the Constitution of the International Labour Organisation, it shall append to its ratification a declaration stating

   (1) the territories to which it intends to apply the provisions of this Convention without modification;

   (2) the territories to which it intends to apply the provisions of this Convention with modifications, together with details of the said modifications;

   (3) the territories in respect of which it reserves its decision.

2. The aforesaid declaration shall be deemed to be an integral part of the ratification and shall have the force of ratification. It shall be open to any Member, by a subsequent declaration, to cancel in whole or in part the reservations made, in pursuance of the provisions of subparagraphs (2) and (3) of this Article, in the original declaration.

Article 27

The formal ratifications of this Convention under the conditions set forth in the Constitution of the International Labour Organisation shall be communicated to the Director-General of the International Labour Office for Registration.

Article 28

1. This Convention shall be binding only upon those Members whose ratifications have been registered with tne International Labour Office.
2. It shall come into force twelve months after the date on which the ratifications of two members of the International Labour Organisation have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 29

As soon as the ratifications of two Members of the International Labour Organisation have been registered with the International Labour Office, the Director-General of the International Labour Office shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 30

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the International Labour Office.
2. Each member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of five years and, thereafter, may denounce this Convention at the expiration of each period of five years under the terms provided for in this Article.

Article 31

At the expiration of each period of five years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 32

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, the ratification by a Member of the new revising Convention shall ipso jure involve denunciation of this Convention without any requirement of delay, notwithstanding the provisions of Article 30 above, if and when the new revising Convention shall have come into force.
2. As from the date of the coming into force of the new revising Convention, the present Convention shall cease to be open to ratification by the Members.
3. Nevertheless, this Convention shall remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising convention.

Article 33

The French and English texts of this Convention shall both be authentic.

ILO CONVENTION 87: FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO ORGANISE, 1948

The General Conference of the International Labour Organisation,

Having been convened at San Francisco by the Governing Body of the International Labour Office, and having met in its Thirty-first Session on 17 June 1948;

Having decided to adopt, in the form of a Convention, certain proposals concerning freedom of association and protection of the right to organise, which is the seventh item on the agenda of the session;

Considering that the Preamble to the Constitution of the International Labour Organisation declares recognition of the principle of freedom of association to be a means of improving conditions of labour and of establishing peace;Considering that the Declaration of Philadelphia reaffirms that freedom of expression and of association are essential to sustained progress;

Considering that the International Labour Conference, at its Thirtieth Session, unanimously adopted the principles which should form the basis for international regulation;

Considering that the General Assembly of the United Nations, at its Second Session, endorsed these principles and requested the International Labour Organisation to continue every effort in order that it may be possible to adopt one or several international Conventions;

adopts the ninth day of July of the year one thousand nine hundred and forty-eight, the following Convention, which may be cited as the Freedom of Association and Protection of the Right to Organise Convention, 1948:

Part I. Freedom of Association

Article 1

Each Member of the International Labour Organisation for which this Convention is in force undertakes to give effect to the following provisions.

Article 2

Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation.

Article 3

1. Workers' and employers' organisations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities and to formulate their programmes.
2. The public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof.

Article 4

Workers' and employers' organisations shall not be liable to be dissolved or suspended by administrative authority.

Article 5

Workers' and employers' organisations shall have the right to establish and join federations and confederations and any such organisation, federation or confederation shall have the right to affiliate with international organisations of workers and employers.

Article 6

The provisions of Articles 2, 3 and 4 hereof apply to federations and confederations of workers' and employers' organisations.

Article 7

The acquisition of legal personality by workers' and employers' organisations, federations and confederations shall not be made subject to conditions of such a character as to restrict the application of the provisions of Articles 2, 3 and 4 hereof.

Article 8

1. In exercising the rights provided for in this Convention workers and employers and their respective organisations, like other persons or organised collectivities, shall respect the law of the land.
2. The law of the land shall not be such as to impair, nor shall it be so applied as to impair, the guarantees provided for in this Convention.

Article 9

1. The extent to which the guarantees provided for in this Convention shall apply to the armed forces and the police shall be determined by national laws or regulations.
2. In accordance with the principle set forth in paragraph 8 of article 19 of the Constitution of the International Labour Organisation the ratification of this Convention by any Member shall not be deemed to affect any existing law, award, custom or agreement in virtue of which members of the armed forces or the police enjoy any right guaranteed by this Convention.

Article 10

In this Convention the term organisation means any organisation of workers or of employers for furthering and defending the interests of workers or of employers.

Part II. Protection of the Right to Organise

Article 11

Each Member of the International Labour Organisation for which this Convention is in force undertakes to take all necessary and appropriate measures to ensure that workers and employers may exercise freely the right to organise.

Part III. Miscellaneous Provisions

Article 12

1. In respect of the territories referred to in article 35 of the Constitution of the International Labour Organisation as amended by the Constitution of the International Labour Organisation Instrument of Amendment 1946, other than the territories referred to in paragraphs 4 and 5 of the said article as so amended, each Member of the Organisation which ratifies this Convention shall communicate to the Director-General of the International Labour Office as soon as possible after ratification a declaration stating:

   a) the territories in respect of which it undertakes that the provisions of the Convention shall be applied without modification;

   b) the territories in respect of which it undertakes that the provisions of the Convention shall be applied subject to modifications, together with details of the said modifications;

   c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;

   d) the territories in respect of which it reserves its decision.
2. The undertakings referred to in subparagraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.
3. Any Member may at any time by a subsequent declaration cancel in whole or in part any reservations made in its original declaration in virtue of subparagraphs (b), (c) or (d) of paragraph 1 of this Article.
4. Any Member may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 16, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of such territories as it may specify.

Article 13

1. Where the subject matter of this Convention is within the self-governing powers of any non-metropolitan terri-

tory, the Member responsible for the international relations of that territory may, in agreement with the Government of the territory, communicate to the Director-General of the International Labour Office a declaration accepting on behalf of the territory the obligations of this Convention.

2. A declaration accepting the obligations of this Convention may be communicated to the Director-General of the International Labour Office:

   a) by two or more Members of the Organisation in respect of any territory which is under their joint authority; or

   b) by any international authority responsible for the administration of any territory, in virtue of the Charter of the United Nations or otherwise, in respect of any such territory.

3. Declarations communicated to the Director-General of the International Labour Office in accordance with the preceding paragraphs of this Article shall indicate whether the provisions of the Convention will be applied in the territory concerned without modifications or subject to modification; when the declaration indicates that the provisions of the Convention will be applied subject to modifications it shall give details of the said modifications.

4. The Member, Members or international authority concerned may at any time by a subsequent declaration renounce in whole or in part the right to have recourse to any modification indicated in any former declaration.

5. The Member, Members or international authority concerned may, at any time at which this Convention is subject to denunciation in accordance with the provisions of Article 16, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of the application of the Convention.

Part IV. Final Provisions

Article 14

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 15

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratifications has been registered.

Article 16

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation should not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 17

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications, declarations and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 18

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 19

At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 20

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

   a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 16 above, if and when the new revising Convention shall have come into force;

   b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 21

The English and French versions of the text of this Convention are equally authoritative.

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ILO Convention 98: Right to Organise and Collective Bargaining, 1949

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirty-second Session on 8 June 1949, and

Having decided upon the adoption of certain proposals concerning the application of the principles of the right to organise and to bargain collectively, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts the first day of July of the year one thousand nine hundred and forty-nine, the following Convention, which may be cited as the Right to Organise and Collective Bargaining Convention, 1949:

Article 1

1. Workers shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment.
2. Such protection shall apply more particularly in respect of acts calculated to

   (a) make the employment of a worker subject to the condition that he shall not join a union or shall relinquish trade union membership;

   (b) cause the dismissal of or otherwise prejudice a worker by reason of union membership or because of participation in union activities outside working hours or, with the consent of the employer, within working hours.

Article 2

1. Workers' and employers' organisations shall enjoy adequate protection against any acts of interference by each other or each other's agents or members in their establishment, functioning or administration.
2. In particular, acts which are designed to promote the establishment of workers' organisations under the domination of employers or employers' organisations, or to support workers' organisations by financial or other means, with the object of placing such organisations under the control of employers or employers' organisations, shall be deemed to constitute acts of interference within the meaning of this Article.

Article 3

Machinery appropriate to national conditions shall be established, where necessary, for the purpose of ensuring respect for the right to organise as defined in the preceding Articles.

Article 4

Measures appropriate to national conditions shall be taken, where necessary, to encourage and promote the full development and utilisation of machinery for voluntary negotiation between employers or employers' organisations and workers' organisations, with a view to the regulation of terms and conditions of employment by means of collective agreements.

Article 5

1. The extent to which the guarantees provided for in this Convention shall apply to the armed forces and the police shall be determined by national laws or regulations.
2. In accordance with the principle set forth in paragraph 8 of article 19 of the Constitution of the International Labour Organisation the ratification of this Convention by any Member shall not be deemed to affect any existing law, award, custom or agreement in virtue of which members of the armed forces or the police enjoy any right guaranteed by this Convention.

Article 6

This Convention does not deal with the position of public servants engaged in the administration of the State, nor shall it be construed as prejudicing their rights or status in any way.

Article 7

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 8

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratifications has been registered.

Article 9

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraph 2 of article 35 of the Constitution of the International Labour Organisation shall indicate

   a) the territories in respect of which the Member concerned undertakes that the provisions of the Convention shall be applied without modification;

   b) the territories in respect of which it undertakes that the provisions of the Convention shall be applied subject to modifications, together with details of the said modifications;

   c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;

   d) the territories in respect of which it reserves its decision pending further consideration of the position.
2. The undertakings referred to in subparagraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.
3. Any Member may at any time by a subsequent declaration cancel in whole or in part any reservation made in its original declaration in virtue of subparagraph (b), (c) or (d) of paragraph 1 of this Article.
4. Any Member may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 11, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of such territories as it may specify.

Article 10

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraph 4 or 5 of article 35 of the Constitution of the International Labour Organisation shall indicate whether the provisions of the Convention will be applied in the territory concerned without modification or subject to modifications; when the declaration indicates that the provisions of the Convention will be applied subject to modifications, it shall give details of the said modifications.
2. The Member, Members or international authority concerned may at any time by a subsequent declaration renounce in whole or in part the right to have recourse to any modification indicated in any former declaration.
3. The Member, Members or international authority concerned may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 11, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of the application of the Convention.

Article 11

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation should not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 12

1. The Director-General of the International Labour Office shall notify all Members of the International Labour

Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 13

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 14

At such times as may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 15

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

   a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 11 above, if and when the new revising Convention shall have come into force;

   b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 16

The English and French versions of the text of this Convention are equally authoritative.

ILO CONVENTION 100: EQUAL REMUNERATION, 1951

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirty-fourth Session on 6 June 1951, and

Having decided upon the adoption of certain proposals with regard to the principle of equal remuneration for men and women workers for work of equal value, which is the seventh item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts the twenty-ninth day of June of the year one thousand nine hundred and fifty-one, the following Convention, which may be cited as the Equal Remuneration Convention, 1951:

Article 1

For the purpose of this Convention

(a) the term remuneration includes the ordinary, basic or minimum wage or salary and any additional emoluments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment;

(b) the term equal remuneration for men and women workers for work of equal value refers to rates of remuneration established without discrimination based on sex.

Article 2

1. Each Member shall, by means appropriate to the methods in operation for determining rates of remuneration, promote and, in so far as is consistent with such methods, ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.
2. This principle may be applied by means of
   (a) national laws or regulations;
   (b) legally established or recognised machinery for wage determination;
   (c) collective agreements between employers and workers; or
   (d) a combination of these various means.

Article 3

1. Where such action will assist in giving effect to the provisions of this Convention measures shall be taken to promote objective appraisal of jobs on the basis of the work to be performed.
2. The methods to be followed in this appraisal may be decided upon by the authorities responsible for the determination of rates of remuneration, or, where such rates are determined by collective agreements, by the parties thereto.
3. Differential rates between workers which correspond, without regard to sex, to differences, as determined by such objective appraisal, in the work to be performed shall not be considered as being contrary to the principle of equal remuneration for men and women workers for work of equal value.

Article 4

Each Member shall co-operate as appropriate with the employers' and workers' organisations concerned for the purpose of giving effect to the provisions of this Convention.

Article 5

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 6

1. his Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratifications has been registered.

Article 7

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraph 2 of article 35 of the Constitution of the International Labour Organisation shall indicate

   a) the territories in respect of which the Member concerned undertakes that the provisions of the Convention shall be applied without modification;

   b) the territories in respect of which it undertakes that the provisions of the Convention shall be applied subject to modifications, together with details of the said modifications;

   c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;

   d) the territories in respect of which it reserves its decision pending further consideration of the position.

2. The undertakings referred to in subparagraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.
3. Any Member may at any time by a subsequent declaration cancel in whole or in part any reservation made in its original declaration in virtue of subparagraph (b), (c) or (d) of paragraph 1 of this Article.
4. Any Member may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 9, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of such territories as it may specify.

Article 8

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraph 4 or 5 of article 35 of the Constitution of the International Labour Organisation shall indicate whether the provisions of the Convention will be applied in the territory concerned without modification or subject to modifications; when the declaration indicates that the provisions of the Convention will be applied subject to modifications, it shall give details of the said modifications.
2. The Member, Members or international authority concerned may at any time by a subsequent declaration renounce in whole or in part the right to have recourse to any modification indicated in any former declaration.
3. The Member, Members or international authority concerned may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 9, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of the application of the Convention.

Article 9

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation should not take effect until one year after the date on which it is registered.
2. ach Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 10

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.
2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 11

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 12

At such times as may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 13

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

   a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 9 above, if and when the new revising Convention shall have come into force;

   b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 14

The English and French versions of the text of this Convention are equally authoritative.

ILO CONVENTION 105: ABOLITION OF FORCED LABOUR, 1957

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Fortieth Session on 5 June 1957, and

Having considered the question of forced labour, which is the fourth item on the agenda of the session, and

Having noted the provisions of the Forced Labour Convention, 1930, and

Having noted that the Slavery Convention, 1926, provides that all necessary measures shall be taken to prevent compulsory or forced labour from developing into conditions analogous to slavery and that the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, 1956, provides for the complete abolition of debt bondage and serfdom, and

Having noted that the Protection of Wages Convention, 1949, provides that wages shall be paid regularly and prohibits methods of payment which deprive the worker of a genuine possibility of terminating his employment, and

Having decided upon the adoption of further proposals with regard to the abolition of certain forms of forced or compulsory labour constituting a violation of the rights of man referred to in the Charter of the United Nations and enunciated by the Universal Declaration of Human Rights, and

Having determined that these proposals shall take the form of an international Convention,

adopts the twenty-fifth day of June of the year one thousand nine hundred and fifty-seven, the following Convention, which may be cited as the Abolition of Forced Labour Convention, 1957:

Article 1

Each Member of the International Labour Organisation which ratifies this Convention undertakes to suppress and not to make use of any form of forced or compulsory labour

(a) as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system;

(b) as a method of mobilising and using labour for purposes of economic development;

(c) as a means of labour discipline;

(d) as a punishment for having participated in strikes;

(e) as a means of racial, social, national or religious discrimination.

Article 2

Each Member of the International Labour Organisation which ratifies this Convention undertakes to take effective measures to secure the immediate and complete abolition of forced or compulsory labour as specified in Article 1 of this Convention.

Article 3

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 4

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratifications has been registered.

Article 5

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation should not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided

for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 6

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.
2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 7

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 8

At such times as may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 9

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

   a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 5 above, if and when the new revising Convention shall have come into force;

   b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.
2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 10

The English and French versions of the text of this Convention are equally authoritative.

ILO CONVENTION 111: DISCRIMINATION (EMPLOYMENT AND OCCUPATION), 1958

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-second Session on 4 June 1958, and

Having decided upon the adoption of certain proposals with regard to discrimination in the field of employment and occupation, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention, and

Considering that the Declaration of Philadelphia affirms that all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity, and

Considering further that discrimination constitutes a violation of rights enunciated by the Universal Declaration of Human Rights, adopts the twenty-fifth day of June of the year one thousand nine hundred and fifty-eight, the following Convention, which may be cited as the Discrimination (Employment and Occupation) Convention, 1958:

Article 1

1. For the purpose of this Convention the term discrimination includes

   (a) any distinction, exclusion or preference made on the basis of race, colour sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation;

   (b) such other distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation as may be determined by the Member concerned after consultation with representative employers' and workers' organisations, where such exist, and with other appropriate bodies.

2. Any distinction, exclusion or preference in respect of a particular job based on the inherent requirements thereof shall not be deemed to be discrimination.

3. For the purpose of this Convention the terms employment and [occupation include access to vocational training, access to employment and to particular occupations, and terms and conditions of employment.

Article 2

Each Member for which this Convention is in force undertakes to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof.

Article 3

Each Member for which this Convention is in force undertakes, by methods appropriate to national conditions and practice

(a) to seek the co-operation of employers' and workers' organisations and other appropriate bodies in promoting the acceptance and observance of this policy;

(b) to enact such legislation and to promote such educational programmes as may be calculated to secure the acceptance and observance of the policy;

(c) to repeal any statutory provisions and modify any administrative instructions or practices which are inconsistent with the policy;

(d) to pursue the policy in respect of employment under the direct control of a national authority;

(e) to ensure observance of the policy in the activities of vocational guidance, vocational training and placement services under the direction of a national authority;

(f) to indicate in its annual reports on the application of the Convention the action taken in pursuance of the policy and the results secured by such action.

Article 4

Any measures affecting an individual who is justifiably suspected of, or engaged in, activities prejudicial to the security of the State shall not be deemed to be discrimination, provided that the individual concerned shall have the right to appeal to a competent body established in accordance with national practice.

Article 5

1. Special measures of protection or assistance provided for in other Conventions or Recommendations adopted by the International Labour Conference shall not be deemed to be discrimination.
2. Any Member may, after consultation with representative employers' and workers' organisations, where such exist, determine that other special measures designed to meet the particular requirements of persons who, for reasons such as sex, age, disablement, family responsibilities or social or cultural status, are generally recognised to require special protection or assistance, shall not be deemed to be discrimination.

Article 6

Each Member which ratifies this Convention undertakes to apply it to non-metropolitan territories in accordance with the provisions of the Constitution of the International Labour Organisation.

Article 7

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 8

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratifications has been registered.

Article 9

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation should not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 10

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.
2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 11

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 12

At such times as may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 13

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

   a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 9 above, if and when the new revising Convention shall have come into force;

   b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 14

The English and French versions of the text of this Convention are equally authoritative.

ILO CONVENTION 138: MINIMUM AGE, 1973

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Fifty-eighth Session on 6 June 1973, and

Having decided upon the adoption of certain proposals with regard to minimum age for admission to employment, which is the fourth item on the agenda of the session, and

Noting the terms of the Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, the Minimum Age (Trimmers and Stokers) Convention, 1921, the Minimum Age (Non-Industrial Employment) Convention, 1932, the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, and the Minimum Age (Underground Work) Convention, 1965, and

Considering that the time has come to establish a general instrument on the subject, which would gradually replace the existing ones applicable to limited economic sectors, with a view to achieving the total abolition of child labour, and

Having determined that these proposals shall take the form of an international Convention,

adopts the twenty-sixth day of June of the year one thousand nine hundred and seventy-three, the following Convention, which may be cited as the Minimum Age Convention, 1973:

Article 1

Each Member for which this Convention is in force undertakes to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons.

Article 2

1. Each Member which ratifies this Convention shall specify, in a declaration appended to its ratification, a minimum age for admission to employment or work within its territory and on means of transport registered in its territory; subject to Articles 4 to 8 of this Convention, no one under that age shall be admitted to employment or work in any occupation.
2. Each Member which has ratified this Convention may subsequently notify the Director-General of the International Labour Office, by further declarations, that it specifies a minimum age higher than that previously specified.
3. The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.
4. Notwithstanding the provisions of paragraph 3 of this Article, a Member whose economy and educational facilities are insufficiently developed may, after consultation with the organisations of employers and workers concerned, where such exist, initially specify a minimum age of 14 years.
5. Each Member which has specified a minimum age of 14 years in pursuance of the provisions of the preceding paragraph shall include in its reports on the application of this Convention submitted under article 22 of the constitution of the International Labour Organisation a statement

   (a) that its reason for doing so subsists; or

   (b) that it renounces its right to avail itself of the provisions in question as from a stated date.

Article 3

1. The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years.
2. The types of employment or work to which paragraph 1 of this Article applies shall be determined by national laws or regulations or by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist.
3. Notwithstanding the provisions of paragraph 1 of this Article, national laws or regulations or the competent authority may, after consultation with the organisations of employers and workers concerned, where such exist, authorise employment or work as from the age of 16 years on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons have received adequate specific instruction or vocational training in the relevant branch of activity.

Article 4

1. In so far as necessary, the competent authority, after consultation with the organisations of employers and workers concerned, where such exist, may exclude from the application of this Convention limited categories of employment or work in respect of which special and substantial problems of application arise.
2. Each Member which ratifies this Convention shall list in its first report on the application of the Convention submitted under article 22 of the Constitution of the International Labour Organisation any categories which may have been excluded in pursuance of paragraph 1 of this Article, giving the reasons for such exclusion, and shall state in subsequent reports the position of its law and practice in respect of the categories excluded and the extent to which effect has been given or is proposed to be given to the Convention in respect of such categories.
3. Employment or work covered by Article 3 of this Convention shall not be excluded from the application of the Convention in pursuance of this Article.

Article 5

1. A Member whose economy and administrative facilities are insufficiently developed may, after consultation with the organisations of employers and workers concerned, where such exist, initially limit the scope of application of this Convention.
2. Each Member which avails itself of the provisions of paragraph 1 of this Article shall specify, in a declaration appended to its ratification, the branches of economic activity or types of undertakings to which it will apply the provisions of the Convention.
3. The provisions of the Convention shall be applicable as a minimum to the following: mining and quarrying; manufacturing; construction; electricity, gas and water; sanitary services; transport, storage and communication; and plantations and other agricultural undertakings mainly producing for commercial purposes, but excluding family and small-scale holdings producing for local consumption and not regularly employing hired workers.
4. Any Member which has limited the scope of application of this Convention in pursuance of this Article

   (a) shall indicate in its reports under article 22 of the Constitution of the International Labour Organisation the general position as regards the employment or work of young persons and children in the branches of activity which are excluded from the scope of application of this Convention and any progress which may have been made towards wider application of the provisions of the Convention;

   (b) may at any time formally extend the scope of application by a declaration addressed to the Director-General of the International Labour Office.

Article 6

This Convention does not apply to work done by children and young persons in schools for general, vocational or technical education or in other training institutions, or to work done by persons at least 14 years of age in undertakings, where such work is carried out in accordance with conditions prescribed by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist, and is an integral part of

(a) a course of education or training for which a school or training institution is primarily responsible;

(b) a programme of training mainly or entirely in an undertaking, which programme has been approved by the competent authority; or

(c) a programme of guidance or orientation designed to facilitate the choice of an occupation or of a line of training.

Article 7

1. National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is

   (a) not likely to be harmful to their health or development; and

   (b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.
2. National laws or regulations may also permit the employment or work of persons who are at least 15 years of age but have not yet completed their compulsory schooling on work which meets the requirements set forth in sub-paragraphs (a) and (b) of paragraph 1 of this Article.

3. The competent authority shall determine the activities in which employment or work may be permitted under paragraphs 1 and 2 of this Article and shall prescribe the number of hours during which and the conditions in which such employment or work may be undertaken.
4. Notwithstanding the provisions of paragraphs 1 and 2 of this Article, a Member which has availed itself of the provisions of paragraph 4 of Article 2 may, for as long as it continues to do so, substitute the ages 12 and 14 for the ages 13 and 15 in paragraph 1 and the age 14 for the age 15 in paragraph 2 of this Article.

Article 8

1. After consultation with the organisations of employers and workers concerned, where such exist, the competent authority may, by permits granted in individual cases, allow exceptions to the prohibition of employment or work provided for in Article 2 of this Convention, for such purposes as participation in artistic performances.
2. Permits so granted shall limit the number of hours during which and prescribe the conditions in which employment or work is allowed.

Article 9

1. All necessary measures, including the provision of appropriate penalties, shall be taken by the competent authority to ensure the effective enforcement of the provisions of this Convention.
2. National laws or regulations or the competent authority shall define the persons responsible for compliance with the provisions giving effect to the Convention.
3. National laws or regulations or the competent authority shall prescribe the registers or other documents which shall be kept and made available by the employer; such registers or documents shall contain the names and ages or dates of birth, duly certified wherever possible, of persons whom he employs or who work for him and who are less than 18 years of age.

Article 10

1. This Convention revises, on the terms set forth in this Article, the Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, the Minimum Age (Trimmers and Stokers) Convention, 1921, the Minimum Age (Non-Industrial Employment) Convention, 1932, the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, and the Minimum Age (Underground Work) Convention, 1965.
2. The coming into force of this Convention shall not close the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, or the Minimum Age (Underground Work) Convention, 1965, to further ratification.
3. The Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, and the Minimum Age (Trimmers and Stokers) Convention, 1921, shall be closed to further ratification when all the parties thereto have consented to such closing by ratification of this Convention or by a declaration communicated to the Director-General of the International Labour Office.
4. When the obligations of this Convention are accepted

   (a) by a Member which is a party to the Minimum Age (Industry) Convention (Revised), 1937, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention, this shall ipso jure involve the immediate denunciation of that Convention,

   (b) in respect of non-industrial employment as defined in the Minimum Age (Non-Industrial Employment) Convention, 1932, by a Member which is a party to that Convention, this shall ipso jure involve the immediate denunciation of that Convention,

   (c) in respect of non-industrial employment as defined in the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, by a Member which is a party to that Convention, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention, this shall ipso jure involve the immediate denunciation of that Convention,

   (d) in respect of maritime employment, by a Member which is a party to the Minimum Age (Sea) Convention (Revised), 1936, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention or the Member specifies that Article 3 of this Convention applies to maritime employment, this shall ipso jure involve the immediate denunciation of that Convention,

(e) in respect of employment in maritime fishing, by a Member which is a party to the Minimum Age (Fishermen) Convention, 1959, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention or the Member specifies that Article 3 of this Convention applies to employment in maritime fishing, this shall ipso jure involve the immediate denunciation of that Convention,

(f) by a Member which is a party to the Minimum Age (Underground Work) Convention, 1965, and a minimum age of not less than the age specified in pursuance of that Convention is specified in pursuance of Article 2 of this Convention or the Member specifies that such an age applies to employment underground in mines in virtue of Article 3 of this Convention, this shall ipso jure involve the immediate denunciation of that Convention, if and when this Convention shall have come into force.

5. Acceptance of the obligations of this Convention

(a) shall involve the denunciation of the Minimum Age (Industry) Convention, 1919, in accordance with Article 12 thereof,

(b) in respect of agriculture shall involve the denunciation of the Minimum Age (Agriculture) Convention, 1921, in accordance with Article 9 thereof,

(c) in respect of maritime employment shall involve the denunciation of the Minimum Age (Sea) Convention, 1920, in accordance with Article 10 thereof, and of the Minimum Age (Trimmers and Stokers) Convention, 1921, in accordance with Article 12 thereof, if and when this Convention shall have come into force.

Article 11

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 12

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratifications has been registered.

Article 13

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation should not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 14

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.
2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 15

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.'

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Article 16

At such times as may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 17

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

   a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 13 above, if and when the new revising Convention shall have come into force;

   b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 18

The English and French versions of the text of this Convention are equally authoritative.

ILO CONVENTION 169: INDIGENOUS AND TRIBAL PEOPLES, 1989

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 76th Session on 7 June 1989, and

Noting the international standards contained in the Indigenous and Tribal Populations Convention and Recommendation, 1957, and

Recalling the terms of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the many international instruments on the prevention of discrimination, and

Considering that the developments which have taken place in international law since 1957, as well as developments in the situation of indigenous and tribal peoples in all regions of the world, have made it appropriate to adopt new international standards on the subject with a view to removing the assimilationist orientation of the earlier standards, and

Recognising the aspirations of these peoples to exercise control over their own institutions, ways of life and economic development and to maintain and develop their identities, languages and religions, within the framework of the States in which they live, and

Noting that in many parts of the world these peoples are unable to enjoy their fundamental human rights to the same degree as the rest of the population of the States within which they live, and that their laws, values, customs and perspectives have often been eroded, and

Calling attention to the distinctive contributions of indigenous and tribal peoples to the cultural diversity and social and ecological harmony of humankind and to international co-operation and understanding, and

Noting that the following provisions have been framed with the co-operation of the United Nations, the Food and Agriculture Organisation of the United Nations, the United Nations Educational, Scientific and Cultural Organisation and the World Health Organisation, as well as of the Inter-American Indian Institute, at appropriate levels and in their respective fields, and that it is proposed to continue this co-operation in promoting and securing the application of these provisions, and

Having decided upon the adoption of certain proposals with regard to the partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107), which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention revising the Indigenous and Tribal Populations Convention, 1957;

adopts the twenty-seventh day of June of the year one thousand nine hundred and eighty-nine, the following Convention, which may be cited as the Indigenous and Tribal Peoples Convention, 1989;

Part I. General Policy

Article 1

1. This Convention applies to:

   (a) tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations;

   (b) peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.

2. Self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply.

3. The use of the term peoples in this Convention shall not be construed as having any implications as regards the rights which may attach to the term under international law.

Article 2

1. Governments shall have the responsibility for developing, with the participation of the peoples concerned, co-ordinated and systematic action to protect the rights of these peoples and to guarantee respect for their integrity.

2. Such action shall include measures for:

(a) ensuring that members of these peoples benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population;

(b) promoting the full realisation of the social, economic and cultural rights of these peoples with respect for their social and cultural identity, their customs and traditions and their institutions;

(c) assisting the members of the peoples concerned to eliminate socio-economic gaps that may exist between indigenous and other members of the national community, in a manner compatible with their aspirations and ways of life.

Article 3

1. Indigenous and tribal peoples shall enjoy the full measure of human rights and fundamental freedoms without hindrance or discrimination. The provisions of the Convention shall be applied without discrimination to male and female members of these peoples.
2. No form of force or coercion shall be used in violation of the human rights and fundamental freedoms of the peoples concerned, including the rights contained in this Convention.

Article 4

1. Special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.
2. Such special measures shall not be contrary to the freely-expressed wishes of the peoples concerned.
3. Enjoyment of the general rights of citizenship, without discrimination, shall not be prejudiced in any way by such special measures.

Article 5

In applying the provisions of this Convention:

(a) the social, cultural, religious and spiritual values and practices of these peoples shall be recognised and protected, and due account shall be taken of the nature of the problems which face them both as groups and as individuals;

(b) the integrity of the values, practices and institutions of these peoples shall be respected;

(c) policies aimed at mitigating the difficulties experienced by these peoples in facing new conditions of life and work shall be adopted, with the participation and co-operation of the peoples affected.

Article 6

1. In applying the provisions of this Convention, governments shall:

   (a) consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly;

   (b) establish means by which these peoples can freely participate, to at least the same extent as other sectors of the population, at all levels of decision-making in elective institutions and administrative and other bodies responsible for policies and programmes which concern them;

   (c) establish means for the full development of these peoples' own institutions and initiatives, and in appropriate cases provide the resources necessary for this purpose.
2. The consultations carried out in application of this Convention shall be undertaken, in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent to the proposed measures.

Article 7

1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.
2. The improvement of the conditions of life and work and levels of health and education of the peoples concerned, with their participation and co-operation, shall be a matter of priority in plans for the overall eco-

nomic development of areas they inhabit. Special projects for development of the areas in question shall also be so designed as to promote such improvement.

3. Governments shall ensure that, whenever appropriate, studies are carried out, in co-operation with the peoples concerned, to assess the social, spiritual, cultural and environmental impact on them of planned development activities. The results of these studies shall be considered as fundamental criteria for the implementation of these activities.

4. Governments shall take measures, in co-operation with the peoples concerned, to protect and preserve the environment of the territories they inhabit.

Article 8

1. In applying national laws and regulations to the peoples concerned, due regard shall be had to their customs or customary laws.
2. These peoples shall have the right to retain their own customs and institutions, where these are not incompatible with fundamental rights defined by the national legal system and with internationally recognised human rights. Procedures shall be established, whenever necessary, to resolve conflicts which may arise in the application of this principle.
3. The application of paragraphs 1 and 2 of this Article shall not prevent members of these peoples from exercising the rights granted to all citizens and from assuming the corresponding duties.

Article 9

1. To the extent compatible with the national legal system and internationally recognised human rights, the methods customarily practised by the peoples concerned for dealing with offences committed by their members shall be respected.
2. The customs of these peoples in regard to penal matters shall be taken into consideration by the authorities and courts dealing with such cases.

Article 10

1. In imposing penalties laid down by general law on members of these peoples account shall be taken of their economic, social and cultural characteristics.
2. Preference shall be given to methods of punishment other than confinement in prison.

Article 11

The exaction from members of the peoples concerned of compulsory personal services in any form, whether paid or unpaid, shall be prohibited and punishable by law, except in cases prescribed by law for all citizens.

Article 12

The peoples concerned shall be safeguarded against the abuse of their rights and shall be able to take legal proceedings, either individually or through their representative bodies, for the effective protection of these rights. Measures shall be taken to ensure that members of these peoples can understand and be understood in legal proceedings, where necessary through the provision of interpretation or by other effective means.

Part II. Land

Article 13

1. In applying the provisions of this Part of the Convention governments shall respect the special importance for the cultures and spiritual values of the peoples concerned of their relationship with the lands or territories, or both as applicable, which they occupy or otherwise use, and in particular the collective aspects of this relationship.
2. The use of the term lands in Articles 15 and 16 shall include the concept of territories, which covers the total environment of the areas which the peoples concerned occupy or otherwise use.

Article 14

1. The rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy shall be recognised. In addition, measures shall be taken in appropriate cases to safeguard the right of the peoples concerned to use lands not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities. Particular attention shall be paid to the situation of nomadic peoples and shifting cultivators in this respect.
2. overnments shall take steps as necessary to identify the lands which the peoples concerned traditionally occupy, and to guarantee effective protection of their rights of ownership and possession.
3. Adequate procedures shall be established within the national legal system to resolve land claims by the peoples concerned.

Article 15

1. The rights of the peoples concerned to the natural resources pertaining to their lands shall be specially safeguarded. These rights include the right of these peoples to participate in the use, management and conservation of these resources.
2. In cases in which the State retains the ownership of mineral or sub-surface resources or rights to other resources pertaining to lands, governments shall establish or maintain procedures through which they shall consult these peoples, with a view to ascertaining whether and to what degree their interests would be prejudiced, before undertaking or permitting any programmes for the exploration or exploitation of such resources pertaining to their lands. The peoples concerned shall wherever possible participate in the benefits of such activities, and shall receive fair compensation for any damages which they may sustain as a result of such activities.

Article 16

1. Subject to the following paragraphs of this Article, the peoples concerned shall not be removed from the lands which they occupy.
2. Where the relocation of these peoples is considered necessary as an exceptional measure, such relocation shall take place only with their free and informed consent. Where their consent cannot be obtained, such relocation shall take place only following appropriate procedures established by national laws and regulations, including public inquiries where appropriate, which provide the opportunity for effective representation of the peoples concerned.
3. Whenever possible, these peoples shall have the right to return to their traditional lands, as soon as the grounds for relocation cease to exist.
4. When such return is not possible, as determined by agreement or, in the absence of such agreement, through appropriate procedures, these peoples shall be provided in all possible cases with lands of quality and legal status at least equal to that of the lands previously occupied by them, suitable to provide for their present needs and future development. Where the peoples concerned express a preference for compensation in money or in kind, they shall be so compensated under appropriate guarantees.
5. Persons thus relocated shall be fully compensated for any resulting loss or injury.

Article 17

1. Procedures established by the peoples concerned for the transmission of land rights among members of these peoples shall be respected.
2. The peoples concerned shall be consulted whenever consideration is being given to their capacity to alienate their lands or otherwise transmit their rights outside their own community.
3. Persons not belonging to these peoples shall be prevented from taking advantage of their customs or of lack of understanding of the laws on the part of their members to secure the ownership, possession or use of land belonging to them.

Article 18

Adequate penalties shall be established by law for unauthorised intrusion upon, or use of, the lands of the peoples concerned, and governments shall take measures to prevent such offences.

Article 19

National agrarian programmes shall secure to the peoples concerned treatment equivalent to that accorded to other sectors of the population with regard to: (a) the provision of more land for these peoples when they have not the area necessary for providing the essentials of a normal existence, or for any possible increase in their numbers;

(b) the provision of the means required to promote the development of the lands which these peoples already possess.

Part III. Recruitment and Conditions of Employment

Article 20

1. Governments shall, within the framework of national laws and regulations, and in co-operation with the peoples concerned, adopt special measures to ensure the effective protection with regard to recruitment and conditions of employment of workers belonging to these peoples, to the extent that they are not effectively protected by laws applicable to workers in general.
2. Governments shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards:

   (a) admission to employment, including skilled employment, as well as measures for promotion and advancement;

   (b) equal remuneration for work of equal value;

   (c) medical and social assistance, occupational safety and health, all social security benefits and any other occupationally related benefits, and housing;

   (d) the right of association and freedom for all lawful trade union activities, and the right to conclude collective agreements with employers or employers' organisations.
3. The measures taken shall include measures to ensure:

   (a) that workers belonging to the peoples concerned, including seasonal, casual and migrant workers in agricultural and other employment, as well as those employed by labour contractors, enjoy the protection afforded by national law and practice to other such workers in the same sectors, and that they are fully informed of their rights under labour legislation and of the means of redress available to them;

   (b) that workers belonging to these peoples are not subjected to working conditions hazardous to their health, in particular through exposure to pesticides or other toxic substances;

   (c) that workers belonging to these peoples are not subjected to coercive recruitment systems, including bonded labour and other forms of debt servitude;

   (d) that workers belonging to these peoples enjoy equal opportunities and equal treatment in employment for men and women, and protection from sexual harassment.
4. Particular attention shall be paid to the establishment of adequate labour inspection services in areas where workers belonging to the peoples concerned undertake wage employment, in order to ensure compliance with the provisions of this Part of this Convention.

Part IV. Vocational Training, Handicrafts and Rural Industries

Article 21

Members of the peoples concerned shall enjoy opportunities at least equal to those of other citizens in respect of vocational training measures.

Article 22

1. Measures shall be taken to promote the voluntary participation of members of the peoples concerned in vocational training programmes of general application.
2. Whenever existing programmes of vocational training of general application do not meet the special needs of the peoples concerned, governments shall, with the participation of these peoples, ensure the provision of special training programmes and facilities.

3. Any special training programmes shall be based on the economic environment, social and cultural conditions and practical needs of the peoples concerned. Any studies made in this connection shall be carried out in co-operation with these peoples, who shall be consulted on the organisation and operation of such programmes. Where feasible, these peoples shall progressively assume responsibility for the organisation and operation of such special training programmes, if they so decide.

Article 23

1. Handicrafts, rural and community-based industries, and subsistence economy and traditional activities of the peoples concerned, such as hunting, fishing, trapping and gathering, shall be recognised as important factors in the maintenance of their cultures and in their economic self-reliance and development. Governments shall, with the participation of these people and whenever appropriate, ensure that these activities are strengthened and promoted.
2. Upon the request of the peoples concerned, appropriate technical and financial assistance shall be provided wherever possible, taking into account the traditional technologies and cultural characteristics of these peoples, as well as the importance of sustainable and equitable development.

Part V. Social Security and Health

Article 24

Social security schemes shall be extended progressively to cover the peoples concerned, and applied without discrimination against them.

Article 25

1. Governments shall ensure that adequate health services are made available to the peoples concerned, or shall provide them with resources to allow them to design and deliver such services under their own responsibility and control, so that they may enjoy the highest attainable standard of physical and mental health.
2. Health services shall, to the extent possible, be community-based. These services shall be planned and administered in co-operation with the peoples concerned and take into account their economic, geographic, social and cultural conditions as well as their traditional preventive care, healing practices and medicines.
3. The health care system shall give preference to the training and employment of local community health workers, and focus on primary health care while maintaining strong links with other levels of health care services.
4. The provision of such health services shall be co-ordinated with other social, economic and cultural measures in the country.

Part VI. Education and Means of Communication

Article 26

Measures shall be taken to ensure that members of the peoples concerned have the opportunity to acquire education at all levels on at least an equal footing with the rest of the national community.

Article 27

1. Education programmes and services for the peoples concerned shall be developed and implemented in co-operation with them to address their special needs, and shall incorporate their histories, their knowledge and technologies, their value systems and their further social, economic and cultural aspirations.
2. The competent authority shall ensure the training of members of these peoples and their involvement in the formulation and implementation of education programmes, with a view to the progressive transfer of responsibility for the conduct of these programmes to these peoples as appropriate.
3. In addition, governments shall recognise the right of these peoples to establish their own educational institutions and facilities, provided that such institutions meet minimum standards established by the competent authority in consultation with these peoples. Appropriate resources shall be provided for this purpose.

Article 28

1. Children belonging to the peoples concerned shall, wherever practicable, be taught to read and write in their own indigenous language or in the language most commonly used by the group to which they belong. When this is not practicable, the competent authorities shall undertake consultations with these peoples with a view to the adoption of measures to achieve this objective.
2. Adequate measures shall be taken to ensure that these peoples have the opportunity to attain fluency in the national language or in one of the official languages of the country.
3. Measures shall be taken to preserve and promote the development and practice of the indigenous languages of the peoples concerned.

Article 29

The imparting of general knowledge and skills that will help children belonging to the peoples concerned to participate fully and on an equal footing in their own community and in the national community shall be an aim of education for these peoples.

Article 30

1. Governments shall adopt measures appropriate to the traditions and cultures of the peoples concerned, to make known to them their rights and duties, especially in regard to labour, economic opportunities, education and health matters, social welfare and their rights deriving from this Convention.
2. If necessary, this shall be done by means of written translations and through the use of mass communications in the languages of these peoples.

Article 31

Educational measures shall be taken among all sections of the national community, and particularly among those that are in most direct contact with the peoples concerned, with the object of eliminating prejudices that they may harbour in respect of these peoples. To this end, efforts shall be made to ensure that history textbooks and other educational materials provide a fair, accurate and informative portrayal of the societies and cultures of these peoples.

Part VII. Contacts and Co-operation across Borders

Article 32

Governments shall take appropriate measures, including by means of international agreements, to facilitate contacts and co-operation between indigenous and tribal peoples across borders, including activities in the economic, social, cultural, spiritual and environmental fields.

Part VIII. Administration

Article 33

1. The governmental authority responsible for the matters covered in this Convention shall ensure that agencies or other appropriate mechanisms exist to administer the programmes affecting the peoples concerned, and shall ensure that they have the means necessary for the proper fulfilment of the functions assigned to them.
2. These programmes shall include:

   (a) the planning, co-ordination, execution and evaluation, in co-operation with the peoples concerned, of the measures provided for in this Convention;

   (b) the proposing of legislative and other measures to the competent authorities and supervision of the application of the measures taken, in co-operation with the peoples concerned.

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Part IX. General Provisions

Article 34

The nature and scope of the measures to be taken to give effect to this Convention shall be determined in a flexible manner, having regard to the conditions characteristic of each country.

Article 35

The application of the provisions of this Convention shall not adversely affect rights and benefits of the peoples concerned pursuant to other Conventions and Recommendations, international instruments, treaties, or national laws, awards, custom or agreements.

PART X. PROVISIONS

Article 36

This Convention revises the Indigenous and Tribal Populations Convention, 1957.

Article 37

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 38

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 39

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 40

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.
2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 41

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 42

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 43

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides-

   (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 39 above, if and when the new revising Convention shall have come into force;

   (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 44

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MAIN PUBLISHED SOURCES

Annual Survey of Violations of Trade Union Rights 1997. Kathryn Hodder. Brussels, ICFTU, 1997

Annual Survey of Violations of Trade Union Rights 1998. Kathryn Hodder. Brussels, ICFTU, 1998

Child Labour in Africa: Targeting the Intolerable. ILO. Geneva, 1998

Country Reports on Human Rights Practices for 1997. US Department of State. Washington, 1998

Education for All? The MONEE Project CEE/CIS/Baltics Regional Monitoring Report - No 5 - 1998. UNICEF. Florence, 1998

Human Development Report 1997. UNDP. New York, 1997

International Labour Conference Provisional Record: Report of the Committee on the Application of Standards: Part Two: Observations and Information Concerning Particular Countries. Geneva, 1998

International Labour Conference Provisional Record: Report of the Committee on the Application of Standards: Part Two: Observations and Information Concerning particular Countries. ILO. Geneva, 1997

Lists of Ratifications by Convention and by Country (as at 31 December 1997). ILO. Geneva, 1998

1998 Report of the Committee of Experts on the Application of Conventions and Recommendations: general report and observations concerning particular countries. ILO. Geneva, 1998

1997 Report of the Committee of Experts on the Application of Conventions and Recommendations: general report and observations concerning particular countries. ILO. Geneva, 1997

307th - 310th Reports of the Committee on Freedom of Association. ILO. Geneva, 1997, 1998

Showing the Way: trade unions against child labour in India. ILO. New Delhi, 1997

The State of the World's Children 1997. UNICEF. Oxford University Press, Oxford, 1997

Trade union action against child labour: Brazilian experience. ILO Bureau for Workers' Activities. Brazil, 1997

World Labour Report: Industrial Relations: democracy and social stability 1997-98. ILO. Geneva, 1998

World education report 1998: Teachers and teaching in a changing world. UNESCO. Paris, 1998

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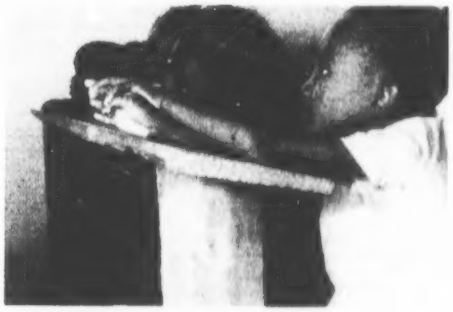
In many countries, often at great personal cost, teachers and education support staff are at the forefront of the struggle for basic trade union and human rights. This report seeks to acknowledge their contributions and make visible their role. It also aims to draw inspiration and hope from their efforts - to show that a commitment to the interests of every child, to quality education and to effective trade union organisation can make a difference.



This report focuses on the extent to which the right to education is available to children, to young people and adults and the extent to which educators enjoy fundamental human and trade union rights set out in the major international declarations and conventions.

It also highlights the extent of child labour in every country where Education International has members. Some of the information is so horrifying that if we know about it and fail to do everything in our power to stop child labour, then we are in fact complicit in its perpetuation.

1998 is the 50th anniversary of the Universal Declaration of Human Rights and of ILO Convention 87 on Freedom of Association and the Right to Organise. This report is an acknowledgement of the continuing importance in all our lives of those two great international standards.

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